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ABSTRACT

The Federally-sponsored research and development project centered on the current state of participatory management programs in correctional institutions. Questionnaires were mailed to all adult institutions known to have some form of council or committee structure. On-site visits conducted at several institutions included: large and small; male, female, and coed; those having councils and those having committees; and those representing various geographical regions of the United States. Interviews were held with administrators, staff, and inmates where possible. Council members were interviewed and, when allowed, council meetings were observed. There is confusion and misconception about participatory management and no differentiation in the literature based upon typological categories. The prevailing assumption in penological circles that "inmate government" is a corrupting, dysfunctional modality for prison management is based almost entirely upon examples which are not participatory management as discussed in this project. Inmate councils have come into existence mainly in response to a crisis rather than as a treatment program of self-responsibility. Although there is some evidence to indicate measurable, positive effects of shared decision-making, there is no evidence of research or evaluation to assess the effects of participatory management on either the institutions or the participants. Tables and questionnaires are appended. (Author/EA)

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SHARED DECISION-MAKING AS A TREATMENT TECHNIQUE IN PRISON MANAGEMENT

THE MURTON FOUNDATION FOR CRIMINAL JUSTICE, INC.



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SHARED DECISION-MAKING AS A TREATMENT TECHNIQUE IN PRISON MANAGEMENT

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Correctional agencies should adopt immediately a program of participatory management in which everyone involved—managers staff, and offenders—shares in identifying problems, finding mutually agreeable solutions, setting goals and objectives, defining new roles for participants, and evaluating effectiveness of these processes.*

*National Advisory Commission on Criminal Justice Standards and Goals, Corrections, Washington, D.C., January 23, 1973, p. 485.

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16. Abstracts An extensive review of the correctional literature relative to participatory management, and to a lesser extent educational and industrial literature, resulted in the development of distinct typologies of the decision-making models. To ascertain the current state of the art, mailer questionnaires were sent to all adult institutions known to have some form of council or committee structure. In addition, on-site visits were conducted at several institutions including large and small; male, female, and coed; those having councils and others having committees; and representing various geographical regions of the United States. Interview schedules were completed with administrators, staff, and inmates where possible. Council members were interviewed and, when allowed, council meetings were observed. There is a great deal of confusion and misconception about participatory management. Thus far, there has been no differentiation in the literature based upon typological categories reflecting dimensions of power or representation...or, for that matter, any other variables. The prevailing assumption in penological circles that "inmate government" is a corrupting, dysfunctional modality for prison management is based almost entirely upon examples which are <u>not</u> participatory management in the sense discussed in this project. In most participatory models, a large number of inmates or staff have not really been involved in the process nor have they been delegated real power to make decisions affecting their lives. With a few notable exceptions, inmate councils have a lot in common with Topsy...they "just grewed." They have come into existence in response to a crisis, to aid in communications or just because it seemed like a good thing to do at the time. No evidence was discovered to indicate that research or evaluation have been conducted to assess the effects of participatory management on either the institutions or the participants. Nonetheless, there is some evidence to indicate that there are some real, measurable positive effects resulting from involving the participants in their own destiny. Finally, the "Full Participatory" model of prison management has never been implemented.					
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PREFACE

The subject of participatory management in prison has been a very emotional issue in penology. Suggestions that the administrator share decision-making with staff and/or inmates is rejected without consideration. This reaction is understandable because democratizing a totalitarian regime would, in effect, destroy it. This realization is sufficient to evoke pure terror in the hearts of those who have a vested interest in maintenance of the present prison order.

There have been a few, small islands of hope in the sea of despair but they have been carefully avoided lest the prison ships run aground on the shoals of reform. It has been far safer to circumnavigate these rare innovative experiments than to explore them.

Consequently, the embarrassing success of the works of Maconochie, Osborne, and Gill are either ignored in the literature or are portrayed as quaint exploits by a sailor, a do-gooder and a bureaucrat...all untrained in penology. Where these works are not ignored, they are equated with such experiments as the Calvary Cure and Walla Walla and then dismissed collectively as having "not worked."

The purpose of this study is to define and assess the effect of participatory management in penology; and to distinguish legend from fact and mythology from reality. It is hoped that this research will expose participatory management to the light of examination and reveal it for what it is: not an ogre bent upon demolition of the prison order but as a useful tool in managing the prison in a different, less harsh and more productive fashion.

The first and second chapters set forth "what has been" in terms of management models, conflicting philosophies and a statement of the problem addressed in this study. The literature review is a summation of the state

of the art of participatory management in penology. Similar efforts in the fields of education and industry are also examined but in less depth. Typologies of participatory management models are constructed to differentiate among the many forms in which shared decision-making has been manifested.

Chapters three and four are a statement of the research methods and findings of the current study as well as the survey conducted and the results of the on-site visits. Based upon these research conclusions, an alternative method of prison management is presented in Chapter five as the "Responsibility Model."

A discussion of strategies for implementation of the suggested model is presented in Chapter six. In Chapter seven, a research design is described for evaluation of the Responsibility Model.

The final chapter, eight, is a summary of conclusions and recommendations of this research. Relevant materials are included in the appendix and a comprehensive bibliography is incorporated at the end for further reference.

A word of appreciation is extended to the many wardens who cooperated in completion of the questionnaires and extended full courtesies during the on-site visits. The contributions of the prison administrators formed a valuable and essential component for the research aspect of this project. It is hoped that this combined effort will provide some insight into one penological issue.

...Tom Murton

PART ONE

The Past

CHAPTER I

HISTORICAL OVERVIEW OF PRISON MANAGEMENT

(I)t must be acknowledged that the penitentiary system in America is severe. While society in the United States gives the example of the most extended liberty, the prisons of the same country offer the spectacle of the most complete despotism. The citizens subject to the law are protected by it; they only cease to be free when they become wicked.¹

Treatment Models

The prison, America's contribution to efforts to stem criminality, came into existence in the early 19th Century under rather curious circumstances. The penitentiary was the end result of efforts to lessen the harshness of criminal sanctions of capital and corporal punishment. In fact, the prison was viewed as a reform of the system. And almost since its inception, there have been on-going attempts to reform the penitentiary.

The original model of prison management in Pennsylvania was a theocratic one. It was assumed that there was an equation between sin and crime and that the cure was to be found in Christianity. Inmates were sequestered in isolation to reflect on their evil deeds until they became converted. They were denied contact with any other human being including the guards who silently pushed a tray of food under the door. To pass the time, each prisoner was given a Bible (regardless of his ability to read), was provided some craft materials and was allowed out into a pen adjoining his cell to exercise and to commune with nature.

¹de Beaumont, Gustave and Alexis de Tocqueville, On the Penitentiary System in the United States and its Application in France, Southern Illinois Press, Carbondale, 1964, p. 79.

The severe sensory deprivation resulted in mental impairment of many of the inmates and the Pennsylvania System of prison design was largely abandoned thereafter.

The religious model was rejected for the Work Ethic Model implemented in New York prisons in the mid-1820's. The Work Ethic Model was designed to provide secure custody for the inmates while they performed mandatory work tasks. It was assumed that criminality was a function of slothfulness; the cure therefore was to teach the inmate good work habits. Work was non-productive and consisted of digging and filling holes and making little rocks out of big ones.

In the 1870's, The Reformatory Model came into existence for the purpose of training and educating youthful offenders. Rejecting the religious and work models, the reformers settled upon the notion that criminality was a result of a lack of education and vocational training. Efforts were made to segregate the "first offenders" from the hardened criminals at the state prisons. But, overcrowding and emphasis on industrial production later forced the reformatory into operations very similar to those of the prison.

Following the end of World War I and increasing in momentum after the second World War, the current Rehabilitation Model gained widespread acceptance. Under this model of treatment, it is assumed that the inmate is sick (psychologically) and that he needs to be cured through a variety of sophisticated techniques imposed by a professional staff of healers.

Management Models

The changing methods for correction of criminal behavior have had varying impact upon prison administration. Under the Pennsylvania System, the warden governed as a moral leader monitoring the austere existence of his charges in a fashion closely patterned after the monastery. The warden was assigned the role of being father to his flock without direct personal contact but for the purpose of providing an environment in which conversion could take place.

In the Auburn (New York) System, the warden was required to assume more managerial tasks because of the movement of prisoners to the dining hall and to work assignments. More concern for custody was necessary and rudimentary organizational methods were needed to provide supervision of work performance. While the warden was not viewed as a father figure, he nonetheless was charged with exercising his authority for the best interests of the inmates.

Under the Reformatory Model, the warden's role remained much the same as in the industrial prison except that he was required to devote more time to providing educational and training opportunities. For the first time, a realm of expertise emerged apart from the warden himself. That is, wardens, appointed to their positions for political reasons and not for their personal vocational skills or academic training, were not equipped to monitor those new activities.

This division of prison responsibilities (custody and training) reached its culmination in the Rehabilitation Model with professionalization of the treatment team. Under this model, proponents assume that the role of the warden is to provide custody, to protect society, provide creature comforts and to organize the prison to support the main treatment effort. It is further assumed that behavior can be modified only through the inmates' interaction with professionally trained treatment staff. The guard is viewed as a neutral actor in the drama, whereas in the first three models, he had a more important function.

The warden is less likely to view the treatment team with the same enthusiasm. His role is to provide supervision over the dichotomization of treatment and custody and to achieve some harmony between the two groups.

As can be seen, the role of the warden has become increasingly complex as the function of the prison has become more complex. The multiplicity of goals and objectives, increased services, rising prison populations and radicalization of some inmates have all contributed to the warden's increased responsibilities and obligations.

Nonetheless, while his role has become more complicated, there are more similarities than differences in the warden's changing role over time. His function has always been paternalistic, autocratic, and dictatorial. Since the inmates are wards of the state, it has seemed proper to exercise control over them aside from the obligations to protect society. Also, a totalitarian regime is a more efficient system and, when stabilized, is more easily managed.

Thus, the end result of the current combined dictatorial-medical model of prison management-treatment can be viewed as a natural evolution reflecting the often conflicting perceptions of criminality and the fickle demands of the larger society.

Conflicting Philosophies of Imprisonment

Under the best conditions, the warden has been a benevolent dictator; at the worst, a despot. But it can be argued that the prison managerial structure was predetermined by the philosophy operative at the time of innovation in each era. Once set in motion, a political organization is difficult to modify. In particular, a major peaceful change in structure of a dictatorial agency often seems impossible.

The philosophy of incapacitation is the mandate to the warden most easily implemented. It is obvious by the mere fact of incarceration that the offender's capacity to commit crimes against the free society become nil ... unless he escapes. But, the larger dimension of incapacitation infers inability to follow a course of action under any circumstances. While sending an offender to prison will protect the larger society, the prison society remains vulnerable to attack. The oppression of the prison environment, the overcrowding, the congregation of deviant individuals together, and the hostility of the inmate body all exacerbate the violence potential which can only be discharged upon either inmates or staff.

The options available to the warden for total incapacitation are limited. He seeks (usually without success) the transfer of mentally impaired prisoners to a mental facility. Those who have physical illnesses can be isolated in a hospital. Those inmates who commit offenses inside the prison can be isolated in individual cells...until they too become overcrowded. With reasonable facilities and fairly competent guards, incapacitation is an easily achieved objective of the prison.

Some punishment is instantly effective at the time of incarceration when the prisoner loses freedom of choice and mobility. In theory, the basic punishment effect of the prison is subjected in this denial of freedom. Yet, the prison actually imposes further punishment upon the inmate. The inmate is subject to what he may perceive as arbitrary rules, little control over his affairs, submission to inmate power, constant fear and a struggle for survival. He also may be a recipient of abuse in one form or another from staff.

It is not being suggested herein that these negative effects are the result of a predetermined plan by the warden to increase the harshness of the prison experience; with rare exceptions, violence is not institutionalized nor sanctioned by prison authorities: it is the natural result of a philosophy

based on authoritarianism. By design or default, the prison quite adequately achieves the objective of punishment. Yet there is ample evidence that increasing the harshness of punishment has no effect on deterrence.

The prisoner can be deterred from committing crimes against the larger society while he is in prison but this kind of deterrence results from incapacitation, not attitudinal change. He may or may not be deterred from criminal behavior after his release; the high recidivism rate tends to indicate that prison does not deter those who have experienced this treatment.

Although general deterrence of potential criminals is assumed to result from punishment, there is little evidence to support this belief. Whatever general deterrence exists may be resident in the law and the enforcement of that law. However, the fact that burglar A goes to prison five years after committing an offense is probably not a deterrent to burglar B who calculates the improbability of his being detected, apprehended, tried, convicted and sentenced to prison. Burglar B may still pursue criminal endeavor, perceiving the odds in his favor.

The demands for vengeance and retribution are usually met with incarceration. In extremely heinous crimes such as murder, brutal rapes, child abuse, and some perversions, the public may not be satisfied with simple commitment to prison. More severe penalties such as castration or execution may be demanded. However, some element of retribution is always served by sending the offender to prison. Early release on parole may later upset the public's perception of and the notions of justice in the situation.

Reformation, rehabilitation and reintegration (the three R's of contemporary prison reform), are stated objectives of the prison and are sometimes mandated by statutes. Correction of the offender is attempted through a variety of educational and training programs in addition to a variety of psychological treatment techniques and experiences.

Summary

The increase in rates of crime, recidivism, recommitment to prison, and institutional violence all attest to the abysmal failure of the prison to rehabilitate the offender. Erroneously it is assumed that the prison is the prime social institution having responsibility for creating and curing criminality. Also, it is inconsistent to expect the warden to fulfill his obligations of reformation simultaneously within the context of the other demands placed upon the prison.

In summary, it appears ludicrous that the warden should be concurrently commanded to carry out rehabilitation programs in the context of incapacitation, deterrence, punishment, and retribution. It would require the wisdom of Solomon, the patience of Job and supernatural power of Christ to achieve all the stated objectives at the same time. Since wisdom, patience, and divinity are not requisites for appointment as warden, it is understandable why the multiple objectives society has imposed in layered fashion on the warden have not been achieved.

Statement of the Problem

Historically, it has been assumed that the prison model is the most effective one to provide an opportunity to positively modify human behavior in an institutional setting. It has been further assumed (incredibly) that a paternalistic-authoritarian-dictatorial setting is the most productive one for teaching responsibility in a democratic society.

There have been four major changes in treatment concepts in the prison with accompanying lesser changes in prison management, yet the result has been no appreciable change in prison violence, recidivism or criminality. Nonetheless, there remains a passionate commitment to the notion that given sufficient time and resources the prison will gradually become a citadel of good works and will somehow fulfill its mission of reformation.

To the casual observer, it would appear that the 175 years the prison has been in existence has been ample time to demonstrate the validity of this belief. Since changes have not thus far resulted in real reform of inmates, it seems safe to conclude that the problem lies not in the lack of special (as yet unidentified) treatment programs but may, in fact, be a defect in the organizational structure and conceptualization of the problem.

As long as the traditional model of prison management is considered inviolate; as long as reformers are content to graft good ideas onto a sick organism; as long as inmates are treated as subjects under a ruling monarch ... that long will the day of real reform remain in the future.

CHAPTER II

A CRITIQUE OF PARTICIPATORY MANAGEMENT IN PRISONS

One of the most significant privileges which can be extended to persons confined is opportunity to take some limited responsibility for the planning and operation of the institution program. Opportunity for participation in constructive social action while under custody, usually in the form of an inmate advisory council, can be one of the most successful and effective means for developing high institutional morale and good discipline.¹

Introduction

A thorough review of the literature on the subjects of participatory management and inmate self-government has been conducted in an attempt to see what has been tried in corrections in the past, to identify the various forms that participatory management has taken in penal institutions, and to discern which cases or what types best achieve the goals of participatory management. In addition, a parallel, less extensive literature review has been conducted in the fields of education and industry in order to examine instances where shared decision-making has been tried within those fields.

Almost without exception, attempts at inmate self-government have failed to involve the inmates to any great extent in the decision-making process. The history of inmate participation in decision-making has been one largely characterized by superficial application of the general concept of inmate self-government. Most of the literature, including the Manual of Correctional Standards (the official guide to

¹The American Correctional Association, Manual of Correctional Standards, Washington, D.C., 1959, p. 547.

penology published by the American Correctional Association) discusses at length the use of the "Inmate Advisory Council." The term is so prevalent that the initials "I.A.C." have general acceptance reflecting the common acquaintance with the term.

As the name would imply, the "council" is composed of "inmates" who "advise." The purposes of the IAC (as perceived by the administration) are to provide a formal mechanism for inmates to make suggestions for resolving problems within the inmate group; to serve as a liaison between inmates and the administration; and to provide communications between the two groups. There is a tacit acknowledgment that inmates should have some input into the operation of the institution to acquaint the administration about matters of which it may not be aware.

But, categorically no discussion or suggestions are encouraged concerning management of the institution in general, matters dealing with officers, or topics which would effect programs within the institution. The majority of the problems raised by the IAC are resolved by "advice and consent"; with advice of the inmates and by consent of the warden.

Definition of Terms

There are two essential elements of real participatory management. As the term itself implies, these elements are the power to make decisions, and representation in the decision-making process. Absence or partial lack of one of these elements produces a managerial system other than that of full participatory management.

"Decision-making power" refers to the authority to make decisions affecting the lives of self and others, either directly or indirectly, through legitimate or illegitimate channels. That power can be measured by the extent to which major decision-making authority is shared with the broadest number of participants. In penal institutions, the power is determined by the effect decisions have on both staff and inmates, and may be exercised by either one, or both groups.

Participatory management includes not only involvement in the decision-making process, but also participation which is representative of the largest number of staff and inmates possible. "Participation" is herein defined as the real opportunity for both staff and inmates of all ranks and/or classifications to become candidates for office on the council

and/or to exercise the right to vote in the elections. By "representative" is meant that the selection process cuts across artificial boundaries between sub-cultures, social structures, work assignments and residential settings.

Management Modalities

There are other methods of providing limited representation that fall short of the full participatory management model. For example, committees of inmates may be appointed to deal with specific problem areas. They may become standing committees such as those dealing with continuing problems like recreation or become ad hoc committees that deal with infrequent problems such as a sit-down strike.

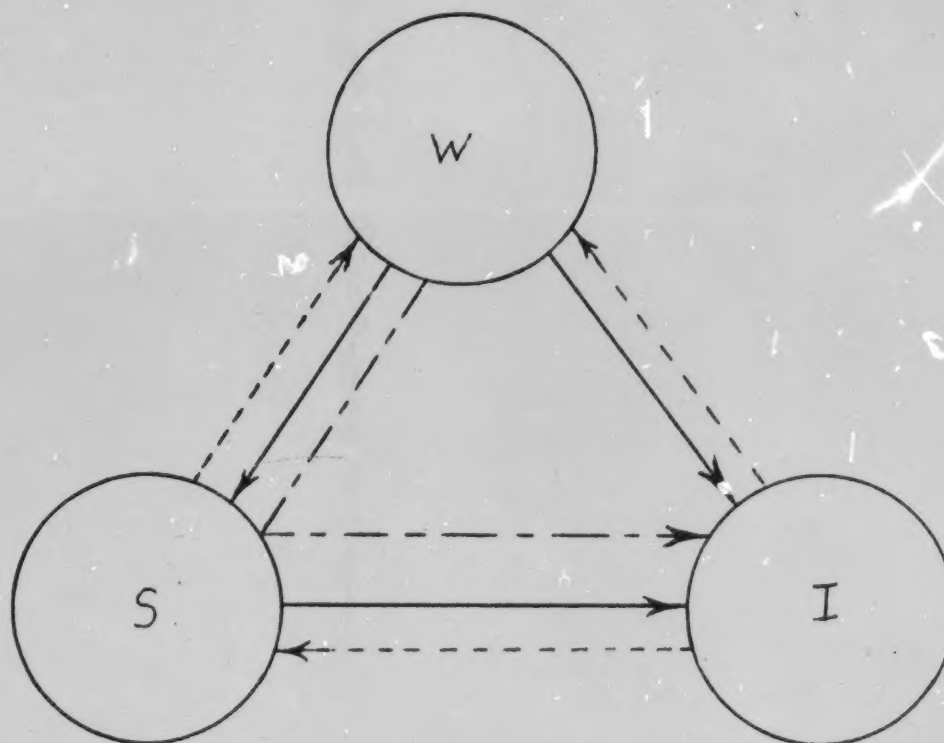
Because of the variations in duration of such groups, the manner in which they are appointed or elected, the limitations on the areas to be addressed, the restrictions on the decision-making authority and confinement to one or a few segments of the prison community, these other methods cannot be considered really representative of inmates, are certainly not representative of staff, and therefore cannot be considered full participatory management.

Participatory management is often considered synonymous with inmate self-government. In fact, there is little reference to the term "participatory management" in the literature on corrections; almost all referrals to inmate involvement in institutional management come under the heading of "self-government." In traditional models of management, there is an inverse ratio between the number of individuals in a given group and the power that they possess.² To put it another way, the locus of power is resident in the smallest number of people. As diagramed in Sketch A, administrators make decisions for themselves, for staff, and for inmates. Staff make no decisions for the administrators, few for themselves but a great deal for inmates. Inmates make no decisions affecting the administration or staff and probably very few decisions influencing themselves or their peers. That is, power always moves cumulatively downward in a paternalistic hierarchy whether it be bureaucratic or autocratic.

²In this context, we are referring to legitimate (legal) power. For purposes of discussion, it is acknowledged that informal illegal power may be exercised indirectly through strikes, slow-play, sabotage or manipulation to coerce a decision maker to modify his behavior. However, further discussion of illegitimate power is beyond the scope of the present discourse.

SKETCH A

THE EXERCISE OF DECISION-MAKING
POWER IN THE PRISON



—————> Direct Power

-----> Indirect Power

-----> Intermittent Power (during riot, disorder)

Wardens make decisions governing themselves,
Staff and Inmates.

Staff make decisions governing (somewhat them-
selves and Inmates; none affecting the Warden.

Inmates make some decisions affecting themselves;
none for Staff or the Warden.

The maxim of democracy which holds that rulers exercise power only with the consent of the governed is inoperative in the prison. Staff and inmates do not select wardens. As civil servants or wards, they voluntarily or involuntarily enter a closed system which does not provide for much deviance in managerial patterns.

The self-government model is in reality patterned after colonialism in that some degree of autonomy over local affairs may be granted to a colony as a political sub-division of the empire. This practice historically has been implemented at that time when demands for local rule emerge simultaneously with the realization that it would be too expensive or too impractical to exercise total control over the colonists.

In this sense, prisoners are colonists in a hostile foreign environment. When "the natives get restless," it may become expedient to grant to the inmates some control over their daily lives. At the most rudimentary level, this control may be restricted to decisions through which each inmate would be allowed some influence over his own destiny. In a broader application of the delegation of power, inmates collectively may be given some power to make decisions which affect the inmates as a group. But, inmates have rarely been given authority to make decisions which would have an impact on staff or the administration.³

"Self-government" then is not synonymous with self rule but instead may be described as a paternalistic exercise as a gesture to create the impression of government without the inherent threat to the established order such power would entail. Also, administrators can benefit from the input from the inmates...not as an exercise in responsibility but as a method to accomplish greater control. In this context, prison management has been operative as military governments imposed during war on foreign communities in the sense that the alien power maintains control with the assistance of collaborators.

Full participatory management is an extension of the concept of self-government, whereby staff, administration, and inmates are all viewed as individual, though inter-related, fractional parts of the whole. Institutional management is viewed as a joint effort of these different levels of the prison, all working together for the common good. Participi-

³See further Chapter VI for the ramifications of rising expectations resulting from granting of even a little bit of power to powerless groups.

patory management strives for a cooperative, unified effort, not a competitive, adversary or fragmented one which is implicit in self-government.

There are several means by which inmates can participate in the operation of the institution to the same or greater extent than some of the models discussed in the next section, but these other means cannot be considered full participatory management because they do not contain one or both of the essential elements of participatory management referred to earlier in this chapter. Most often the element missing seems to be representation. It is not unusual to find cases where inmates have power, either legitimate or illegitimate, but seldom do those in power represent the interests of the general inmate population of the prison. Perhaps the most prevalent example of this type is the inmate guard system, where inmate guards exercise a great deal of real power over others, even to the point of life or death control.

However, this system lacks the element of democratic representation of a large number of the inmates, as it is operated by a small number of trustees selected by the administration who work for the staff. The general population of the prison does not have any more influence in prison management than under traditional administrations. For this reason, trusty systems, even to the extent carried out by Mordecai Plummer in his "Calvary Cure" at the Delaware State Prison and New Castle County Workhouse throughout the 1920's and early 1930's cannot be considered participatory management.⁴

Institutional Management Models

The literature review has resulted in the identification of three distinct models of councils which, in varying degrees, involve the inmates and staff in institutional management. In increasing order of participation, these models have been labeled Token, Quasi-Governmental, and Governmental. There were a few cases which did not fit the highest level of participation (Governmental) but contained elements that more

⁴More recent examples of this type of trusty system have been the Arkansas, Mississippi, and Louisiana inmate guard systems. In these prisons, some inmates have been able to secure, by illegitimate means, decision making power and control over classification, discipline, records, goods and services and (since some carried guns) even the continued existence of the inmates.

approximated a "pure" model of democratic decision-making within the institution.

Consequently, a fourth typology of councils called Full Participation has been constructed. Patterned after the responsibility model discussed in Chapter V, this hypothetical category suggests an idealized mode of management that could serve as an alternative to existing models. Although we discovered no pure examples of the Full Participation model, we found a few management models that contained some characteristics of full participation.

In developing the typologies, we have focused on what we consider the two most important aspects of management models: structure and function. Thus, councils have been examined along two dimensions which constitute the variables of interest in this phenomenon: representation (structure) and power (function).

The differences among council typologies is summarized in Table I and reflects distinctions in the dimensions of power and representation. This table is the reference for the subsequent discussion of councils which are described in their increasing order of participation.

TABLE I
TYPOLOGY OF PARTICIPATORY MANAGEMENT MODELS

	Token	Quasi-Governmental	Governmental	Full Participation
<u>Power (Function):</u>				
1) Executive (ie, carrying out policies; "policing" loosely defined; work assignments; classific) determination for:	Staff =N ^a Inmates=N	Staff =N Inmates=Y	Staff =N Inmates=Y	Staff =Y ^b Inmates=Y
2) Legislative (ie, rules; creature comforts; recreation/housing) determination for:	Staff =N Inmates=S	Staff =S ^c Inmates=S	Staff =S Inmates=Y	Staff =Y Inmates=Y
3) Judicial (ie, sanctions) determination for:	Staff =N Inmates=N	Staff =N Inmates=N	Staff =N Inmates=Y	Staff =Y Inmates=Y
<u>Representation (Structure):</u>				
1) Elected (vs appointed).	Staff =N Inmates=N	Staff =N Inmates=Y	Staff =N Inmates=Y	Staff =Y Inmates=Y
2) Staff participation in elections.	N	N	N	Y
3) Inmates participation in elections.	N	Y	Y	Y

^aN = No

^bY = Yes

^cS = Some

Definition of Terms

Power refers to direct or indirect influence over one's destiny and the destiny of others. Executive powers are those which are addressed to carrying out the operative rules and management of the institution. These powers include the authority to make work assignments for staff and inmates, promotion and classification of staff and inmates and general managerial functions.

Legislative powers are those involved in creation of the operative rules governing both staff and inmates. These powers entail devising regulations covering creature comforts, services, commodities, internal control, and judicial sanctions.

Judicial powers are defined as the authority to discipline staff and inmates for violation of institutional rules and to determine the legitimacy of rules and regulations.

Representation is defined, as earlier, in terms of the democratic notion of cross-group voices reflected in a common council. In addition to the spectrum of representation, it is equally important to define the process. While this issue is discussed in greater detail in Chapter V, suffice it to mention here that the integrity of the electoral process, the secret ballot and minimal interference in seeking office or voting in elections must be guaranteed.

Responsibility is the state of being accountable for one's actions toward self and others. Individuals can be considered responsible if they conduct themselves in a manner which enhances personal and collective growth toward both individual and group goals.

Participation means the right to run for office, to take part in campaigning and to vote, irrespective of rank or position within the institution. Thus, there is, in terms of representation or participation, no distinction between inmates in isolation and those in minimum custody.

As used in this section, staff refers to all civil service employees, volunteers (possibly) and the warden. However, as discussed later, it may be crucial for the warden to be a participant in the council especially in the formative stages. Since he is the locus of official power and can, to a large extent, determine the efficacy of the council in participatory management, the warden is a force to be reckoned with and thus he should attend council meetings routinely.

Equal representation is commonly defined as inclusion of an equal number of representatives from each group as in bargaining sessions during union-management negotiations. Thus, both inmate and staff groups have an equal number of representatives on the council. Each representative has one vote.

Proportionate representation is the construction of a ratio which provides a proportional representation on the council for both staff and inmates as exists in the institution. For example, for those councils based on ethnic representation, the ratio of councilmen of various races would reflect the ratio of the races in the institution. The advantages and disadvantages of both equal and proportionate representation will be discussed later at greater length.

Token Model

The Token participation model is comprised of those efforts at participatory management that are limited in scope as to time, topic, or physical area. The primary characteristic displayed by such efforts is that they all deal with only a small portion of the organism, not the whole. The term "token participation" has been chosen to describe this model because it attempts to make use of the concepts of participatory management, but not wholeheartedly enough to implement them institution-wide, or in a representative fashion.

As in the other models, the elements of representation and decision-making power are required in this model in order for it to be considered participatory management. The decision-making power can vary greatly with the individual case, much like the variance among models. Representation, however, must remain at a high level like the other models. If it did not, instances using this model would fall into the category discussed in the introduction to this chapter that cannot be considered participatory management.

There are three apparent sub-categories of the token participation model. The first sub-category includes temporary task forces or ad hoc committees formed to resolve one or more problems within the prison. Most often, these committees are created in response to a crisis with the intent being to have the inmates assist in returning the prison to normal. After resolution of the problem or crisis, the task force is usually disbanded and inmate participation ends. Because of the nature and purpose of these committees or task forces, their life span is relatively short and is determined by the warden.

The second frequent form of token participation in use is that of inmate councils that have authority to deal in specific areas only, such as recreation, entertainment, laundry, and commissary. The literature review reveals this type of inmate participation to be very prevalent throughout the history of penology. The 1938 Handbook of American Prisons and Reformatories cites several instances of this form of inmate participation, one of which was at the Minnesota State Reformatory at St. Cloud.⁵ The amount of responsibility exercised by the inmates athletic board at St. Cloud was restricted to planning and scheduling recreational and athletic activities.

A unique instance of an IAC being used for one particular activity is the council formed by the General Superintendent of the Washington, D.C. Jail in 1934. Its purpose was to serve as a liaison between staff and the inmates on the jail's working detail. According to General Superintendent Ray L. Huff:

(I)t seemed advisable that steps be taken to secure a higher degree of understanding and cooperation from inmates on the working detail than usually existed throughout the general inmate population. With that need in mind, the inmate advisory council was established. The objectives of the council as set forth are:

1. To obtain obedience to the rules governing the institution.
2. To eliminate, as far as possible, the all too frequent unsatisfactory action and attitudes on the part of the inmates on the inmate working detail.
3. To take necessary steps to protect the privileges and courtesies granted to the inmates on this working detail.
4. To recommend to the superintendent curtailment of privileges to inmates who have demonstrated their lack of desire or inability to conform to the actions expected of those assigned to this detail.⁶

⁵Cox, William B., and Bixby, F. Lovell, Ph.D., ed., Handbook of American Prisons and Reformatories, Vol. I., 5th ed., The Osborne Association, New York, 1938, p. 166.

⁶Ray L. Huff, quoted by Walter M. Wallack, ed., in Correctional Education Today: First Yearbook of the Committee on Education, Vol. 1, American Prison Association, New York, 1939, p. 169.

From the objectives of the council as set forth by Mr. Huff, it was certainly not intended that the council should participate in the management of the jail in any way. Even so, Superintendent Huff claimed that the council gave the inmates a sense of responsibility.

(T)his council has been functioning since the date of its establishment, and has given reasonable satisfaction. Its operation has resulted in a better working relationship, brought about principally through development of a better understanding and desire to cooperate on the part of the inmates concerned. It has served to give those inmates something of a sense of responsibility, and to encourage in them a desire to cooperate for the general good. It has enabled the inmate group to have an orderly way to bring to the attention of the officials of the institution pertinent information. Matters in connection with the council have been handled, to a large extent, by the superintendent personally.⁷

It appears evident that Mr. Huff's use of the term "responsibility" is quite loose. Any any rate, his opinion of what constitutes responsibility differs greatly from the definition in this project.

The last sub-category of the Token participation model consists of those forms of inmate participation that are restricted to a geographic area within the prison. Most frequently this takes the form of honor cottages, which may exercise some degree of self-government within their own boundaries, but are unable to exercise any decision-making power within the institution as a whole. The policies that can be dealt with by these cottages are those that do not concern only the cottage itself, but not the rest of the institution. The general institutional regulations must be followed and self-government is only exercised within this larger context.

The Federal Industrial Institution for Women at Alderson, West Virginia, began a system of inmate participation following this format in 1917 when the institution first opened. Each cottage had its own governing unit, with by-laws and a constitution drafted by staff and inmates jointly. After an initial probationary period, inmates of each cottage could be elected to the Executive Committee of the cottage, which

⁷Op. Cit.

consisted of five members, and included the cottage warden who acted as the advisor. The responsibilities of the Executive Committee of the cottages were mainly to maintain good discipline and order; institutional officials did not delegate legislative or judicial functions to the committees.⁸

An inmate self-government organization was created at the Reformatory for Women in Framingham, Massachusetts, about 1921. Initially, there were three grades of inmates with the top two having "citizenship" privileges. Five-month probationary periods were required for promotion to each next higher grade. After an additional three-week probationary period, the women might be granted citizenship by their fellow "citizens" in that grade. Each division, or house, had its own five-member governing unit which was elected for a three-month term of office.

Inmate responsibilities were mostly executive although the governing units were responsible for maintaining discipline within each house. The primary function of the inmate organization was to establish rules through monthly "town meeting" sessions where general items of interest were discussed and the rules were established. The disciplinary court had authority to punish inmates for minor offenses.

By 1933, the small governing units had been abolished, a 12-woman council was substituted and the disciplinary functions were discontinued. The purpose of the organization changed from control of other inmates ostensibly to development of a sense of responsibility in inmates toward themselves and the prison community.

The central council division of the Reformatory for Women, at the time of the first visit was an important group although dominated by the assistant superintendent, has not been officially abandoned, but other forms of inmate participation are being developed in its place. The officers of the central council division preside at the monthly general assemblies, but the organization now has no connection with the administration of discipline. On the whole, it may be said that although the central council organization has been relegated to a subordinate position, inmate participation in the program of the institution is receiving more encouragement than ever before. This aspect of the work is being handled chiefly by the superintendent

⁸Lekkerkerker, E.C., Reformatories for Women in the United States, J.B. Wolters, Holland, 1931.

herself and the interns. The superintendent invites groups of inmates to her house for "parties", at which plans for the formation of new groups are discussed, as well as matters of general interest.⁹

While the council may have become more centralized and representative, its power was reduced. By the mid-thirties, it became not an effort in self-government but only a mechanism for communication with the administration.

The role of staff in the token model is minimal or nonexistent. Committees or councils usually are monitored by a single, assigned low level staff member whose function is primarily to report to the warden upon inmate activities.

The reason that the Token participation model has been placed further down the scale of decision-making power than the Quasi-Governmental model, (discussed next), is that even though the Token Participation model may exercise more actual power, it lasts for a shorter time period or exercises jurisdiction in a very limited area. Moreover, the Quasi-Governmental model is institution-wide, even though it exercises limited power.

It might appear from Table I that the influence of inmate power on prison management increases as a higher level of participatory management is reached. That conclusion is unwarranted and is not necessarily true. In terms of change¹⁰ of administrative practices, the short term, narrow focus task force or committee often produces more results than the Quasi-Governmental model.

Perhaps, because of the very fact that the Quasi-Governmental model is broader in scope, the increased authority over the Token model may be neutralized through diffusion of purpose and bureaucratization. The Token model therefore, paradoxically, may have a greater impact than the Quasi-Governmental model on prison management practices.

⁹The Osborne Association, Inc., Handbook of American Prisons and Reformatories, 1933, The Osborne Association, Inc., New York, 1933, p. 373-374. See Chapter IV for a description of the current council at this institution. Also see the discussion of institutions at Vienna, Illinois, and Niantic, Connecticut, as further examples of the Token model.

¹⁰"Change" is not equated with "reform."

Quasi-Governmental Model

As implied by the title, the second model is not characterized by true staff or inmate participation in the management of the institution. While the appearance of participatory management is maintained, it is non-existent. Although this model resembles the next two in structure and philosophy, it differs greatly in actual practice. Whereas the full participation and Governmental models delegate authority to the inmates in varying degrees, little is delegated to them under the Quasi-Governmental model. At best, the powers of the council extend to holding meetings, writing proposals for change, and making recommendations to the administration. This is the case even though the model supposedly follows the concept of participatory management and professes to grant responsibility to the inmates.

This comment should not be taken to infer that use of this model is a fraudulent attempt at participatory management. Rather, it simply means that for any number of reasons the basic philosophy of participatory management is not being carried out properly. This may be due to a lack of understanding of participatory management on the part of the staff and inmates alike, differences in opinion as to what constitutes responsibility, or reluctance to delegate authority. From the literature and site visits, the most common difficulty seems to be differing opinions as to what responsibility entails. In the case of Quasi-Governmental models, the inmates' voicing opinions and holding meetings are considered to be a great share in the institutional management. In any case, practice has become divorced from theory...not an uncommon experience in government.

Usually, the model is initiated by the staff or the warden, often, in response to an institutional crisis. In addition, the model may be proposed to forestall further problems by providing a forum for discussion between administrators and inmates. Staff members tend to strongly influence and dominate the council's actions. Because of this type of staff influence and the council's lack of power, there may be a reduction of the council's credibility with the inmate population. Furthermore, administrators', staff and inmates' perceptions of the extent of inmate responsibility and decision-making powers usually vary: inmates tend to desire or demand more powers than those delegated to them. If inmates endeavor to obtain more power, they are generally unable to obtain it. Moreover, if inmates perceive the council simply as a grievance committee or as a communication link with the staff, the inmates' vested interest in the council may be minimal.

Because of these factors, Quasi-Governmental management systems rarely enjoy the same strong relationship of trust and cooperation between staff and inmates as found in the Full Participation model, and to a lesser degree, in the Governmental model.

One of the earliest attempts at involving inmates in institutional management through recommendations and suggestions of an inmate advisory council was that organized in 1888 by Warden H.F. Hatch at the Michigan State Prison at Jackson. An inmate committee drafted a constitution naming the organization "The Mutual Aid League of the M.S.P." Warden Hatch presided over the league and met with members weekly. The Mutual Aid League had no authority or powers other than making recommendations to the warden, as can be seen from his annual report of 1890.

I preside over the meetings of this society myself, and agreeable to their by-laws, have appointed nine members to act as an executive board. I meet this board at least once a week, and receive many valuable and thoroughly honest suggestions that aid the work. It enables me to keep in constant touch with the yard, and I believe does very much to aid me in determining the right thing to do next.¹¹

Warden Hatch's experiment was not intended to be a form of inmate self-government, but rather a means of communication between the warden and the inmates. Responsibility was not meant to be shared with the inmates. The Mutual Aid League is often considered to be an antecedent to Osborne's Mutual Welfare League (discussed later in this chapter as an approximation of the Full Participation model) and to have had some influence on Osborne. However, Warden Hatch's League fell far short of Osborne's experiment in terms of participatory management. The Mutual Aid League of the M.S.P. was discontinued following Hatch's resignation in 1891.

There was a large increase in IAC's during the 1930's, particularly in federal institutions. Almost without exception, their purpose was to provide the warden of the prison with a means of communication with the inmate population. A typical example is one established at the United States Industrial Reformatory at Chillicothe, Ohio, in 1933. In this case, representatives were chosen from each dormitory or cell block,

¹¹Hatch, H.F., "Warden's Report", Annual Report of the Inspectors and Officers of the Michigan State Prison for the Year Closing June 30, 1890, Robert Smith and Co., Lansing, Michigan, 1890, p. 40.

with an executive board of fifteen members also selected from the dorms. The American Prison Association's Yearbook of the Committee on Education in 1939 reported the function of the council:

The men in the various dormitories and cell blocks have been given the privilege of selecting, in an orderly manner, five men from their respective units, whose duty it is, as chosen representatives, to represent their fellow inmates on the inmate advisory council. This council holds stated meetings at which time problems effecting the welfare of all the inmates in the institution are discussed and constructive recommendations are made to the superintendent of the institution.¹²

The importance of the council to the institution's operation can be seen in the following statement:

The purpose of the organization is to bring before the administration matters concerning the general welfare of the inmates. The first recommendations ranged from recreation to ways in which the electric light costs could be cut down \$100 a month.¹³

A classic example of the inmate advisory council is the one started in the later 1930's at the State Reformatory in Annandale, New Jersey. Annandale was set up on a cottage basis, and each cottage elected three representatives to the cottage committee, which met every Sunday evening with some members of the staff. As reported by the institution's Director of Education, the function of these meetings was to "offer suggestions, criticisms, and ask for explanations of policy. Beyond this, they have no powers; it is not a governing group in any sense, but offers a place where problems may be aired and settled openly."¹⁴ The exact relationship of the staff with the council is not known, nor is the manner in which representatives were chosen. However, one main variable was clearly absent: the power to make decisions.

¹²Wallack, Walter M., ed., Correctional Education Today: First Yearbook of the Committee on Education, American Prison Association, Vol. 1, American Prison Association, New York, 1939, p. 170.

¹³Hayes, Fred E., The American Prison System, McGraw-Hill Book Co., Inc., New York, 1939, p. 308.

¹⁴F.A. Klauminzer, Director of Education, quoted in The First Yearbook of the Committee on Education, American Prison Assoc., ed. by Walter M. Wallack, American Prison Assoc., Vol. 1, New York, 1939, p. 168.

There are cases where inmate participation was extended further than in the examples cited above, but which still must be classified as quasi-governmental models because the council's actions needed to be approved by the superintendent. One such instance would be the "Welfare and Honor League" organized at the Maine State Prison at Thomaston in 1924. At Thomaston, inmates selected five prisoners to a board of governors annually. The list of candidates had to be approved by the warden, and at least one, but not more than three members had to be serving life sentences. This board of governors could then appoint monitors in other areas. The duties of the league were quite limited. At its peak, its functions were primarily custodial and dealt with maintaining order in various parts of the institution. There were no legislative powers entrusted to the league at all. The board of governors could, however, select one representative to be present at all disciplinary proceedings held by the warden or his deputy. This representative was required to be present at these proceedings but had only the right to speak. At one time, the board of governors were allowed to hold preliminary hearings and conduct investigations in disciplinary cases, subject to review by the warden or deputy.

The National Society for Penal Information evaluated the Welfare and Honor League as follows in 1929:

The Welfare and Honor League, the inmate community organization, has been an effective aid to discipline and in the maintenance of a satisfactory morale. Only the beginnings of real inmate community responsibility have been attempted, but the organization has been given responsibility for good conduct on the recreation field, in the mess hall and on the galleries, and has been granted representation at all hearings of disciplinary cases. There is no reason to believe that under careful supervision it could not be allowed to exercise the function which was once allowed it for a short period, that of holding preliminary hearings and investigations in disciplinary cases, to be reviewed later by the warden and deputy.¹⁵

Their report also gives valuable insight into the reasons for the demise of the league:

The virtual abolition of the Welfare and Honor League since the prison was visited marks the end of one of the few constructive experiments in the history of this prison. It is stated officially that it was suspended on the suggestion

¹⁵The National Society for Penal Information, Handbook for American Prisons, 1929, New York, 1929, p. 410.

of the 'better element of the inmates.' When such a movement loses favor with the really better element, it is evidence that it was improperly or insufficiently guided and supervised by the officials. At Thomaston, the Prison Commission, in contrast with the previous one, has a tendency to become reactionary.¹⁶

In this case, the prison officials obviously did not intend to share any real decision making powers with the inmates through the league. As in the cases previously cited, inmate participation was for all practical purposes an illusion.

The liaison committee created following the 1971 riot at the Attica Correctional Facility in New York is a representative example of the quasi-governmental model as it exists today. As will be seen, little has changed since the 1920's and 30's. A committee had been demanded by the inmates and agreed upon by Commissioner of Corrections Russell Oswald during the riot as one of the 28 points. Oswald agreed to:

Establish an inmate grievance commission comprised on one elected inmate from each company which is authorized to speak to the administration concerning grievances, and develop other procedures for inmate participation in the operation and decision-making process of the institution.¹⁷

The actual committee was formed in March of 1972 to be a formal channel of communication between staff and inmates concerning grievances and common problems. However, the following statement by the McKay Commission on the Attica riot clearly shows how this committee provided for inmate participation in the institutional management in actuality:

Superintendent Mancusi has resigned, in part because of his disagreement with this approach, and a new superintendent, Ernest Montanye, formerly the head of the state's minimum security work camps, replaced him. Montanye had met several times with the committee and granted its requests for changes such as allowing inmates to leave lights and cell radios turned on all night. But the inmate grievance committee, while providing a forum for discussion of complaints, gave inmates no sense of participation in the important decisions affecting their lives. The elected

¹⁶Ibid, p. 411.

¹⁷Attica: The Official Report of the New York State Special Commission on Attica. Bantam Books, New York, 1972, p. 255.

representatives were frustrated in attempts to establish the committee's stature: they even had to struggle to obtain a typewriter to prepare their own constitution and bylaws.

By August 1972, five members of the committee had been transferred from Attica to other institutions, two had been released from prison, and nine had quit, leaving less than half the original membership. Those who remained found it increasingly difficult to retain the respect of newer and younger inmates.¹⁸

There are other characteristics of the Quasi-Governmental model that indicate that inmate advisory councils do not play a viable, integral role in institutional management. Meetings with the staff or the warden are held infrequently. Small percentages of the inmate population vote in the election of representatives. Moreover, staff members assigned to work with the inmate council seem to be removed from positions of real influence in the institution. Usually program directors rather than wardens or deputy wardens work with the councils. Under this model, council members may have some power to enforce orders among the inmate population, can make recommendations concerning institutional rules, but have minimal effect on inmate or staff discipline.¹⁹

Governmental Model

The Governmental model resembles the Full Participation model in many respects. The structure may be similar, the manner of selecting representatives the same, and the topics discussed before the council are often quite similar.

The main difference between the two models is the authority of the inmates to make decisions affecting the entire institution, including both staff and inmates. Characteristic of the Governmental model are restrictions placed on the council's authority to deal with institutional management beyond areas directly concerning inmate welfare. As a rule, inmate involvement in policy decisions affecting staff personnel in any way is limited to a discussion of the issues involved and recommendations or proposals of resolutions to

¹⁸Ibid, p. 469-470.

¹⁹See Chapter IV for a classic example of this model at Walla Walla, Washington.

the administration. In any case, the final decision in such matters rests with the superintendent or his representative, as in the previous models discussed.

As an example, decisions on which books and other publications to purchase for the prison library, as well as assignment of inmate librarians may be within the realm of the inmate council. However, changes in the library operating schedule and civilian library staff are not, and the council can only make recommendations regarding these issues to the warden who makes the ultimate decision.

This difference in decision-making authority from that exercised in the full participation model has a significant effect on the relationship between inmates and staff. In spite of administrative rhetoric claiming that this model is true participatory management, the inmates realize that their power is limited. Generally, inmates are granted few judicial or legislative responsibilities. The powers delegated to inmates primarily focus on creature comforts and are closely monitored. Consequently, inmates may perceive, and may actually have, little impact on management of the institution.

While some sense of mutual trust and cooperation between staff and inmates may exist under the Governmental model, it is characteristically less strong and durable than that established under the Full Participation model. This is generally true because the inmates realize, or will come to realize, that there are unilateral limitations which are, or can be, placed upon their decision-making powers by the warden. Staff members will also be aware of these limitations. The warden's reliance upon staff members in making managerial decisions and his reluctance to share this authority with the council in the Governmental model will eventually cause a strain in the staff-inmate relationship. This reluctance may also serve to maintain the aura of staff superiority over inmates, which is detrimental to the sense of trust.

An example of the Governmental model clearly illustrates the line that is drawn as the limit for inmate participation in institutional management. Often considered to be an excellent example of inmate self-government is the Effort League founded in 1917 at the Westchester County Penitentiary, East View, New York. It was established at the suggestion of the warden, Calvin Derrick, one of the pioneers of inmate self-government and famous for his experiment with juveniles at the Preston School for Boys, Ionia, California, a few years earlier. A constitution was drafted by the prisoners at the penitentiary and approved by the warden. The officers of the league included the president, vice-president, judge of the

inmate court, sergeant-at-arms, public defender, and the secretary; all of whom were elected for a four-month term. The warden and deputy warden were honorary members of the league.

A major feature of the Effort League was the prisoners' court, which received complaints from both inmates and officials. In addition, the league made extensive use of committees, such as the one for interviewing new arrivals to the penitentiary. The institution made use of a grading system whereby only the top three grades were eligible to participate in the Effort League.

Primarily, the function of the league was executive in nature; being responsible for good conduct in the cellblocks, corridors, and mess hall. There were no real legislative powers, but many advisory ones. Classification in the grading system was determined by the league, and recommendations were made to the warden concerning trusty assignments. The league's officers acted as a cabinet and made all recommendations to the warden.

The prisoners' court was originally limited to reprimands and expulsion from the league, with the discipline being administered by the warden. This was found to be unsatisfactory, and the court was given greater responsibilities by drafting a penal code and setting up boundaries for its jurisdiction. The league also set up a probation system to handle first offenders. According to Warden Warren Mc Clellan, who replaced Mr. Derrick:

At the beginning of the year the matter of discipline was practically all in the hands of the institution officials. They were wholly responsible for the maintenance of good order and the proper behavior of the inmate population. In many cases the results were not all that were to be desired. How to handle some of the problems arising was a question not always easy of solution without resorting to the older and harsher methods, which we would not under any circumstances consider. After many official conferences, and having in mind the growing influence of the Effort League and its possibilities for good, we determined to grant to the inmates the opportunity for governing themselves by assuming some of these disciplinary responsibilities. At first in a limited way, then, as our confidence increased, in larger measure. We found this method most successful. Minor cases were referred to the Inmates' Court and as time went on more important matters, until practically all complaints, both inmate

and official, were handed over to this court, where they were handled in a most judicial and satisfactory manner, not only to the official force but also the offending inmates. In this way our disciplinary problems were reduced to a minimum, and we had very few cases where it was necessary in any way to take matters into our own hands.²⁰

Because responsibilities for discipline were delegated to the prisoners through the Inmate Court, the Effort League must be categorized as an example of the Governmental model. These judicial responsibilities definitely extend it beyond the Quasi-Governmental model.

There are several reasons though, that the Effort League does not approach the Full Participation model. Primarily, this is because of the restriction of decision-making power to disciplinary cases only. As noted, the inmates had no legislative powers at all; only recommendations could be made. Even the judicial powers extended to the court had limitations, as indicated by Warden McClellan's statement that "practically all", but not all, complaints were handled by the court. With respect to institutional management, the Effort League was advisory at best, but had some powers to deal with the welfare of the inmate population.

A second reason the Effort League cannot be considered as a case of the Full Participation model is that the decisions reached by the league and its court dealt with inmates' welfare only, but not with the staff's. Staff membership in the league was restricted to honorary membership only, even though informal staff participation appears to have been welcomed. Participatory management requires formalized, active and continuous staff representation on the council, as well as the ability to directly affect staff personnel through council decisions.

When compared to the Full Participation model in terms of representation for inmates, the Effort League again falls short of the mark. As stated earlier, only the top three grades of inmates were eligible for membership in the league. A principle of participatory management is that all inmates must be eligible for participation, regardless of their custody grades.

²⁰Warden Warren McClellan, quoted by Winthrop D. Lane in "Westchester, What an American County Can Do," The Survey, Vol. 43, New York, November, 1919, p. 141.

A Full Participation Model (Hypothetical)

The Full Participation model ranks highest in the range of managerial models presented due to the extensive amount of responsibility in decision-making shared with the inmates by the staff and administration of the prison. Inmate participation is cultivated by prison officials in an attempt to involve them in the decision-making process. The principle difference between the Full Participation model and the other models is the extent of the participation in the management of the prison. Under this model, inmates share in the decision-making process involving not only other inmates, but also staff personnel. Staff, administrators, and inmates work together to operate the institution and share equally in making decisions affecting each other as they collectively form a coalition of power in a new prison community.

Inmates participate in such areas as staff and inmate work assignments, hiring and firing of staff personnel, inmate security classification, housing, recreation and food service. Responsibilities delegated to the staff and inmates extend into major policy-making areas of institutional management such as industrial, treatment and educational programs, as well as the everyday affairs of the inmates, like laundry service, commissary operations and lock-up hours.

The entire prison community is represented and has a voice in the prison management. Staff and inmates formally participate as voting members of the council. Both staff and inmates elect their own representatives to the council on either an equal or proportionate basis.

This equality between staff and inmates points up another interesting component of the Full Participation model; the type of staff-inmate interaction. Typically there should exist a relationship of trust and cooperation between the two groups, because the institutional council makes decisions and its representatives are directly responsible to their peers (staff or inmates) for the decisions made. Since staff and inmates perceive the council as working for and truly representing their welfare, they should have a vested interest in the continued operation of the council and should endeavor to maintain it. Simultaneously, by bringing matters of common concern before the council and abiding by its decisions, staff also establish credibility with the inmates. The net result, ideally, is a relationship of mutual trust and respect among staff and inmates, and the perceived credibility of the council.

The manner in which Full Participation models are implemented is also distinctive. While the idea may have been conceived by the warden, the formation of the structure, duties, and goals of the council is a joint effort of administration, staff and inmates. The Full Participation model is never imposed from the top, even though the seed may have been planted and nurtured by the warden. Since we could find no examples of this Full Participation model in pure form, no examples have been cited.

Commentary

Movement from one managerial model to another is not necessarily an evolutionary process. If no form of inmate participation exists in an institution, the warden has the option of choosing the model which in his opinion will best serve the needs of the facility and its occupants at that time; or, of course, to choose none.

While it hardly is necessary to state the obvious, for purposes of clarity it should be acknowledged that any of these models may exist only with the permission of the warden. There is no legislative or judicial edict which grants to inmates (or staff) the right to participate in their own destiny within the institution. Similarly, the warden always retains the veto power and can exercise it to negate any action of the council or, in fact, to abolish the council in its entirety.

There are some difficulties with both the equal and the proportionate bases for council membership. Composition of the council determined on an equal number of representatives for staff and inmate groups may further polarize the prison community. That is, equal representation may be viewed by each group as an effort to balance power between two traditionally adversary groups. The inmates may argue that with an equal number of staff and inmates on the council, and the warden retaining the tie-breaking and veto power, the council may become an exercise in balancing power wherein the administration is always "more equal" than the inmate group. Hence, each group may be willing to participate only so long as it retains this balance of power.

Recently there have been attempts to provide proportionate representation along racial lines. That is, the whites, blacks, Indians, and Spanish-speaking inmates may be granted different numbers of representatives on the council according to the racial composition of the prison

population. To argue that the ingredients of a successful cooperative venture are racially-specific attributes rather than human qualities seems rather absurd. This philosophy also assumes a conflict rather than cooperative approach to problem resolution.

To a certain extent, the outcome of a process is largely determined by the initial perception of the problem and the structure created to address that problem. Not only may the perception of the problem be in error, the organizational structure inappropriate but the cure may be worse than the disease. For example, prisoner union proponents recognize the non-productive and oppressive use of prison power as being negative. Yet, they advocate not elimination of that form of power but instead urge the creation of another power base with the coercive ingredients of the power structure they seek to neutralize.

Any methods conceived on the premise that resolution of conflict is best brought about through the processes of intimidation and coercion are counter-productive to the development of a coalition of power for the collective welfare of the prison community. As discussed further in Chapter VI, it would appear that proportionate representation on a residential basis for inmates not only approximates the freeworld situation but, generally, is more likely to cut across class, culture, and racial boundaries; thus be more productive.

Theoretically, the ultimate goal of participatory management is the elimination of the superintendent's veto power, which would allow him to play the role of leader and administrator but would remove his ultimate authority to approve all decisions. In the past, this stage has never been reached, nor is it conceivable in the near future because of the warden's direct responsibility to the local, state, or federal governments. The people are not yet ready (or perhaps never will be) to delegate this degree of responsibility to the inmates and staff themselves.

Because of the set limitations in the Full Participation model, as in all the others, the warden maintains final veto power over the decisions of the inmate council. This veto power need not pose a major obstacle to the workings of participatory management systems if used infrequently and judiciously by the warden. On the other hand, if used continuously and indiscriminately, the warden's veto power may result in a loss of credibility with the inmates and may undermine the effectiveness of the participatory model.

If one model, such as the IAC, exists, the warden may choose to move to a more participatory model and thus it would appear to be evolutionary in process. However, he has the flexibility to move from Token to Governmental models or, if he has the courage, to the Full Participation model. But, as discussed later, it is extremely difficult to adopt a model lower on the scale of participation. Having tasted a little bit of freedom, the inmate is reluctant to be excluded thereafter from the decision-making process and will resist strongly any such effort.

In actual practice, these management models will normally take the form of a council with representatives elected and will include some form of by-laws or constitution governing the council. This formulation is particularly characteristic of the last three models discussed. The Token model is more commonly characterised by committee or task force construction. Other models may not fit the previously discussed models exactly, but may incorporate some aspects of each model with some significant variations. Some of these models more closely resemble the Full Participation model and will, therefore, be discussed in depth hereafter.

Case Studies Approximating The Full Participation Model

The literature review has disclosed four cases where inmates have participated in the institutional management to any great extent. Each of these cases has embodied the principles of participatory management in essence, although they differ in formal structure.

Maconochie

An innovation in penology was begun on Norfolk Island off the coast of Australia in 1840 by Captain Alexander Maconochie of the British Royal Navy. He had been commissioned to study the penal colony and in the process of this study made strong recommendations for change of the system.

When Maconochie became superintendent of the colony in 1840, he set about establishing his "Social Management" theories of prison administration. He rejected the harsh, brutal, oppressive practices of previous administrations and substituted one built on trust and responsibility.

Maconochie is well known in the literature for his "Mark" system, his graduated release programs, his develop-

ment of what we now call parole and for his humane practices. What is often overlooked is the essence of his changes.

The only formal organization to involve inmates in their destiny was the creation of small, six-man groups of inmates who were mutually responsible for each other's conduct...and consequently, release from the prison. Although the method is not described in detail, inmates chose their own group members. He considered these small groups to be moral units of mutual caring and concern for themselves and others. All other activities of the institutional "programs" focused around these units.

The selection procedure for group composition was modified after some inmates complained that the group was being unjustifiably punished for the negative behavior of one incalcitrant prisoner.

The inmates were allowed plots of ground to raise food for sale to free people on the island and they were allowed to retain money in their possession. When the group had earned 12,000 marks, they were paroled to the mainland.

In a less formal way, he opened up the administration of the prison to involvement of the inmates. He allowed inmates to observe court actions that Maconochie held inside the prison. Inmate testimony and advice was sought on disciplinary matters although his plan to allow inmates to sit as jurors was thwarted because of a prohibitive law.

Maconochie delegated custodial power to inmates appointed to an inmate police force. They patrolled the island by day and night and provided general law enforcement functions for the prison. As Maconochie later observed:

And my Police (force) was composed of men selected by me from the general body of prisoners, furnished only with short staves...instead of a large free and probationer force armed with cutlasses, and in some cases pistols, that has since been maintained.

If, then, with this inferior physical force, I was able to preserve perfect order, submission, and tranquility, it seems to me to follow incontestably either that my measures were most singularly adapted to attain their end or, as a general proposition, that restraints founded on self-interest, persuasion, exhortation, and other sources of moral influence, are

in every case more stringent than those of brute force, even in dealing with the worst of men.²¹

Maconochie's plan combined inmate selection for re-organization into small groups with his own intuitive selection of inmates for responsible positions to assist in management of the institution. Ninety days after his appointment, Maconochie allowed the total prison population out of the prison for one day as a "holiday." Contrary to dire predictions by staff, the 1800 prisoners returned to the prison at the appointed hour, no accident occurred, the jail was unoccupied "no theft or disorder had disgraced the day" and the inmates to a man lived up to the responsibility attributed to them by Maconochie.

During the four years of Maconochie's regime only 3% of the 1450 prisoners discharged ever were re-convicted. Of 920 doubly convicted inmates, only 2% were re-convicted of a crime. Inside the prison, there was only one killing, four escapes, and no uprisings during this same period.

Maconochie's impact on the penal colony is best summarized in his own words:

I found the island a turbulent, brutal hell, and left it a peaceful, well-ordered community...the most complete security alike for person and property prevailed. Officers, women, and children traversed the island everywhere without fear. (To which Judge Barry added, "all reliable evidence confirms his statement.")²²

Maconochie was fired and the subsequent administration was one of partial regression to the conditions which had existed prior to his intervention.

Osborne

Following a series of riots and fires and the subsequent resignation of the warden, Thomas Mott Osborne was appointed warden of Sing Sing prison in 1914. He believed that an inmate's permanent reformation would occur only if

²¹Barry, John Vincent, Alexander Maconochie of Norfolk Island, Oxford University Press, London, 1958, p. 166.

²²Ibid., p. 167.

he were able to exercise meaningful decision-making within the prison. Thus, as warden, Osborne set about developing an environment in which inmates could develop a sense of responsibility through self-determination.

In order to achieve his objective, Osborne established the Mutual Welfare League. All inmates automatically belonged to the league. Every six months, two delegates were elected from each shop by secret ballot. From the Board of Delegates, an executive board was selected. The executive board selected a clerk and a sergeant-at-arms.

Osborne created a judiciary committee to handle all disciplinary infractions. The warden's court, composed of the warden, the principal keeper and the prison doctor, handled appeals. Inmates' responsibilities increased and inmate morale improved greatly when Osborne replaced guards in the shops and mess halls with civilian foremen and delegates elected from the league, respectively.

In addition to creating the league, Osborne set up committees to handle every aspect of prison life:

...sanitation, athletics, entertainment, dietary, kitchen, finances, ways and means, reception of visitors, religious services, reception of new prisoners, employment, fire company, prison grave yard, a bank and a parole board.²³

The impact of Osborne's reforms were reflected in the inmates' attitudes towards themselves and the institution:

Since the League started, these men find it easier to be law-abiding; they find their self-respect restored as their belief in their own manhood grows stronger; they feel responsible for the acts of the community as well as for their own individual acts.²⁴

During his tenure, the number of wounds treated by the prison hospital dropped from 25% to 9%. In each of the three years prior to Osborne's administration, an average of 35

²³Tannenbaum, Frank, Osborne of Sing Sing, University of North Carolina Press, Chapel Hill, 1933, p. 130.

²⁴Osborne, Thomas Mott, Society and Prisons, Yale University Press, New Haven, 1917, p. 230.

inmates had been committed to Dannemora State Hospital; under Osborne's administration, this figure dropped to 19 inmates.

Industrial production increased 21%. In the first 13 months of his administration, there were three escapes. In previous years, there had been ten escapes in 1913, six in 1912, four in 1911, seventeen in 1910, and nineteen in 1909.

According to Osborne:

In Auburn prison for more than two years, in Sing Sing prison for more than a year the new system has been in operation and the thing works. The truth of that fact no reluctant official and no stupid politician can argue out of existence. It is a rock which affords a solid foundation for the future of prison reform.²⁵

Osborne's appointment was short-lived. Following indictment by the Westchester County grand jury, he resigned because of political pressures. Despite his own professional demise, Osborne's innovations had successfully demonstrated that inmates afforded the opportunity to make meaningful decisions would do so responsibly.

Gill

Howard B. Gill was appointed as superintendent of a new prison at Norfolk, Massachusetts, in 1927 and given a free hand to design the facility and create a new prison environment. Gill espoused what he referred to as the "small group principal." Fifty inmates and two officers were housed together in what he called his "community prison."

Although Gill did not believe in inmate government as such, he did create an inmate council with numerous committees which advised the superintendent on all aspects of the prison, including construction. Gill saw this as "joint participation and joint responsibility." Eventually there were sixty inmates and thirty officers working on twelve committees.

After corruption of the council one time, Gill decided that candidates would have to be cleared in advance for the

²⁵Ibid., pp. 222-223.

position by the superintendent. The council was recalled by the entire population and subsequently councils included staff members.

...(T)he real and most crucial accomplishments of the council system lay in the intangibles. It was a spirit of armistice where the two factions of social warfare forgot the gun and the instruments of vengeance to live together in amity to think out and put into practice a plan that would reduce the need for these conflicts.²⁶

Construction of the new facility doubled under the joint committee on construction was created and inmate foremen were involved in supervising the work. During the five years of construction, only 35 of about 700 inmates ran away from the minimum custody facility even though there was no security perimeter.

But, movement into the new facility removed the personal contact between inmates and the superintendent. Also, the "homey" atmosphere during the construction stage was eliminated in the new prison. Simultaneously, there was a rapid expansion of population and staff.

Like the early Christian church which was truest and noblest in the days of its adversity, the council system of Norfolk was at its best when it was diligently forging the new plan, and the men involved in its creation were called upon to make sacrifices.²⁷

Gill believed that his principles applied to a select tractable, cooperative segment of the population rather than to all prisoners. He chose these tractable inmates to build the new institution. Gill was unconcerned with reduction of recidivism, but emphasized changing prisoners. Nonetheless, he demonstrated that his methods reduced tension, and incidents and increased production.

Later Gill commented on the effectiveness of inmate participation in prison management:

²⁶Doering, Carl R., Editor, A Report on the Development of Penological Treatment at Norfolk Prison Colony in Massachusetts, Bureau of Social Hygiene, New York, 1940, p. 86.

²⁷Ibid., p. 86.

Instead of letting it become the means whereby men can achieve anything they want, it is to be the means of teaching them what they should have. We have got to have certain standards of decency, order, quietness, industriousness, and patience which we must insist be the standard of the meanest, the most undesirable men in the place.

On the other hand, with the proper plans, I think it has been demonstrated that the whole tone of an institution can be raised by this kind of participation of exchange of ideas, of expression as contrasted with repression. We see men's faces light up and become normal, and that very atmosphere becomes a part of our therapy, because unless we meet that normal human feeling on the part of our men, we cannot do good case work with them. We cannot do the thing which we have set out to do...that is, to help them to help themselves.²⁸

Gill was fired on April 5, 1934, following a political fight lasting five months.

Murton²⁹

In February, 1967, Tom Murton was hired as warden of Tucker Prison Farm in Arkansas by Governor Winthrop Rockefeller who had been elected on a prison reform platform. Murton's first acts were the abolition of corporal punishment and torture, and the removal of sadistic guards.

During the first few months of his tenure, there were a rash of escapes. Inmates in whom Murton had established a relationship of confidence, suggested that he reactivate the position of Inmate Sheriff. In addition, Murton utilized inmate talents in the creation of the Farm Council.

Murton's belief that the democratic process was far more important than the product impelled him to take espec-

²⁸Ibid., p. 182.

²⁹The Arkansas experience with participatory management is reluctantly reported here not for the aggrandizement of the principal investigator but because it is the only other reported example approaching the Full Participatory model; and because it is contemporary.

ial care in educating inmates for the Council:

This process would have made all subsequent decisions suspect, and there was no assurance that the superintendent could select the proper inmates. Moreover, such a method would have negated an essential ingredient of the council: the inmates had to become personally involved in the process if they were to have any commitment to the outcome. Finally, since the representatives were chosen by the inmates, they had credibility, were accountable to the inmate body and indirectly the general population was thus required to share the responsibility for managerial errors in the future.³⁰

The first councils dealt with creature comforts, but subsequent councils devoted their efforts to classification and discipline. To make the operation more efficient, the council was split in half. Three inmates and the warden comprised the Classification Committee; the other three inmates and the warden composed the Disciplinary Committee. Although Murton retained veto power, he never used it.

The Classification Committee determined job assignments and custody grades. Since inmates comprised the guard force at Tucker, job assignments included deciding which inmates were to carry weapons. With inmate input into job assignments, erroneous decisions were often avoided. For although Murton favored a job change for one inmate, the council unanimously denied it because they knew that he would attempt to escape to solve a domestic problem.

The Disciplinary Committee met weekly to hear rule infractions and complaints filed by both freeworld and inmate staff members. Very often inmates were acquitted because of a lack of evidence or intent. Committee members were also personally interested in many cases. One sixteen-year-old youth who had spent much of his sentence in the hole, was "paroled" to an older inmate who believed that he could alter the inmate's attitude. The older inmate had a personal interest in the youth's performance because he had agreed to forfeit his job as barracks orderly should the plan fail. As Murton suggested, "Commitment without

³⁰Murton, Tom, "Inmate Self-Government," University of San Francisco Law Review, Vol. VI, No. 1, Oct. 1971, p. 94.

personal jeopardy is a meaningless intellectual exercise." The plan succeeded, and the youth was eventually paroled and has stayed out of prison.

Following the creation of the Farm Council, there were no assaults, no fights, and only one escape (from a homosexual assault). No inmate classified minimum custody ever escaped from the farm during Murton's last five months at Tucker. No condemned prisoner ever attempted to escape even while outside the prison. Women and children freely mingled with the inmates and were never threatened or assaulted.

However, as Murton observed:

The most significant change was in the attitude of the inmates. Fear had disappeared, a new community had been created and despair had been replaced by hope.³¹

Murton's reflections on the involvement of inmates in meaningful decision-making in the institution provide an assessment of the experience:

In review, it should be noted that the first requisite for change was that the superintendent did not consider himself omnipotent. Second, the idea for change had to emerge from the inmates. Time was devoted to really involving the inmates in a legitimate self-help effort. Success fostered success and confidence. A byproduct of the farm council was the re-direction of traditional hostility from the superintendent to the inmate body. The sharing of decision-making with the inmates carried with it the implicit collective responsibility for the decision made.

Confidence was established through meticulous procedures and credibility. Flexibility was the custom. I did not last long enough to test the final phase wherein the superintendent becomes an advisor and relinquishes the veto power. The true success of inmate government can only thus be validated. The correlation with recidivism would require additional experimentation beyond the institution.³²

³¹Murton, Tom, "One Year of Prison Reform," The Nation, New York, Jan. 12, 1970, p. 14.

³²Murton, San Francisco Law Review, p. 101.

Despite his successful efforts to involve inmates in meaningful decision-making in the institution, Murton was fired March 7, 1968.

Summary Of The Four Case Studies

There are several similarities which mark the efforts of these four men in involving inmates in self-determination. These men all possessed both the vision and power to implement their innovations. They placed the inmate's welfare above their own and thus jeopardized their personal tenure.

Their belief that permanent reformation cannot be imposed but emanates from within, led each man to create an environment in which the inmate's self-respect and sense of responsibility could be cultivated.

They believed that the first step in breaking down traditional hostilities between the administration and the inmates must be taken by the warden. Extending trust to the inmates establishes respect, credibility, and a vested interest in the person in power. However, this move also increases the chances that inmates will act irresponsibly in learning to act responsibly.

Enabling the inmates to become actively involved in meaningful decision-making also forces them to share the responsibility for decisions made. Thus, the inmates had a vested interest in the election process and in the decisions of the councils.

Each man's attempts were successful. Fights, escapes and general institutional unrest were calmed. In some cases, recidivism was reduced. The only problem with the statistical evidence is that no research was undertaken at the time of the experiment to validate scientifically the results.

Perhaps the only disadvantage of their innovations was to the reformers themselves, for each man suffered personally for his efforts. Revolutionary attempts to overthrow oppression and to inculcate honesty and genuine concern were rewarded, in all cases, with the professional demise of the reformer.

Although none of the four cited reformers implemented the Full Participation model completely, some of their efforts include various aspects of this hypothetical model.

In terms of representation (structure), Gill was the only reformer who involved both staff and inmates in his committee system. On the other hand, staff members did not elect representatives to the council. In terms of power (function), Gill, Osborne, and Murton had councils with real decision-making powers.

More specifically, Maconochie did not have a formal council or committee system; but he involved the inmates in decision-making over their own destiny in terms of release from the institution and disciplinary matters. Gill did not believe that inmates should have power over institutional policy matters, but he involved staff and inmates jointly to advise him on all aspects of institutional life. Osborne allowed inmates to assume some staff responsibilities and to handle classification and discipline matters. Murton allowed the Farm Council to handle classification and discipline matters. However, neither Osborne nor Murton gave their councils power to determine institutional policies on a broad scale.

As noted, the reformers differed in style while being similar in conceptualization of the essence of reform. Nonetheless, each man individually, and all of them collectively, have come closer to the pure model of Full Participation than any other examples found in the literature. If we can measure their success in these limited ventures we can project with some accuracy that the Full Participatory model would indeed produce significantly better results in the management of institutions and the treatment of offenders.

Summary of Literature Review in Corrections

The overwhelming majority of the inmate councils encountered during the course of the literature review have been characteristic of the Token participation and Quasi-Governmental models of institutional management. Few councils were reviewed which could be classified as the Governmental model; no examples of the Full Participation models. In cases where councils possessed elements of two categories, the lower classification was assigned.

Six councils have been classified under the Token participation model. This figure undoubtedly far underestimates the actual extent in which this model has been followed in corrections. The number would be doubled by including the list of councils in federal institutions reported by the 1938 Handbook of American and Reformatories

that dealt with recreation and entertainment. These have not been included because there was insufficient information available to properly analyze them. There also are probably a large number of institutions that employ inmate grievance committees and other committees which have not been reported in the literature, and therefore, have not been included in this review. Records of participatory management, if they exist at all, probably are only to be found in historical documents relating to each institution. To determine the actual incidence of such efforts would require an investigation in each of the 50 states. While research of that nature has considerable merit, it falls beyond the scope of resources available for the present project.

Councils employing the Token participation model have typically dealt with a very limited range of topics. A few of these councils were not limited in subject area, but rather limited to geographic area, as in the case of honor systems and cottage councils. Most councils have been without any appreciable degree of power, but some, especially ad hoc committees dealing with major problems or institutional crises, may exhibit decision-making power temporarily. Councils adhering to this model have normally been quite representative of the inmate population they serve.

The largest number of councils disclosed by the literature review were of the Quasi-Governmental variety. Fourteen councils were classified in this category. Once again, this number is felt to considerably underestimate the true extent to which this model has been used in corrections. The Inmate Advisory Council exemplifies this type of institutional management. These councils are viewed as a means of communication between staff and inmates by all parties concerned; never are they given any real responsibilities. They are generally quite representative of inmates, but staff seldom participate to a large extent in council affairs. Usually the staff representative to the council is a lower echelon staff member, such as a Program Director. Meetings with the superintendent or deputy are normally infrequent.

Only one clear instance of the governmental model was discovered by the literature review. It is possible that this model exists in a rather unstable state; reverting frequently to the Quasi-Governmental model, upon rare occasion advancing to an approximation of the Full Participation model, or, more likely, being abolished. The Governmental model is typified by a certain amount of council responsibility for the welfare of the inmates in the institution,

but none, or very little, over the affairs of staff personnel. In the case found in the literature, this responsibility was exercised in the area of discipline, while advisory powers were exercised in other areas. A high degree of staff-inmate interaction is the norm in this model, although the council is generally representative only of the inmate population. Staff participation on the council is usually from a high level, such as the warden or his immediate deputy. This type of council meets regularly and seems to generate a high degree of interest in its activities.

No instances of the Full Participation model were revealed by the literature review. As noted earlier, however, four cases have been discovered which approximate the model and contain certain basic elements typical of it. The model is characterized by a high degree of inmate and staff participation in the decision-making process of the institution. Each group is represented on the council, which serves to break down the traditional dichotomy between staff and inmates along with traditional antagonism. A strong sense of mutual trust and cooperation prevails within the institution between the two groups. The Full Participation model is typically formed through a joint effort of the different parties involved. While it may be nurtured and cultivated from the top, it is never imposed by the warden onto the institution. None of the four cases discussed under this model meet all of these criteria, but each meets several of the elements.

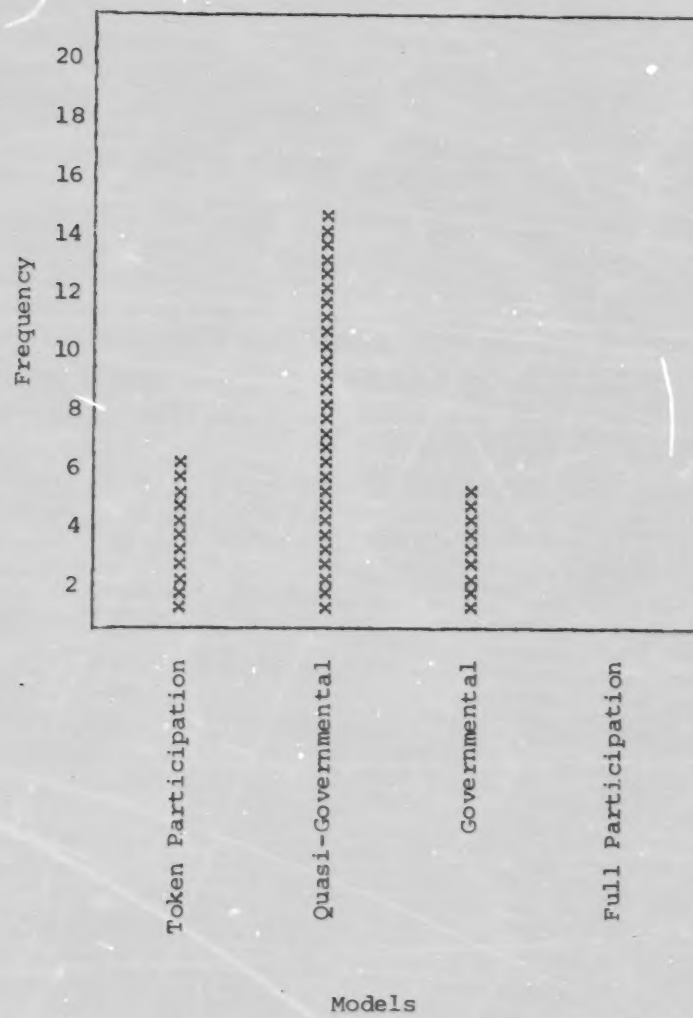
The following graph illustrates the distribution of the four models as they are found in the literature:³³

³³As discussed in the introduction to this chapter, many instances of inmate participation in the institutional management have not been included because they did not meet the basic criteria of representativeness. For this reason, many instances of honor systems and trusty systems have not been considered in the formulation of this graph.

The four cases of participatory management which approximate the Full Participation model have been classified in the Governmental category.

Table 2

FREQUENCY OF HISTORICAL PARTICIPATORY MANAGEMENT MODELS



Other Management Models

The general principles of participatory management do not apply to the field of corrections only, but may have universal applicability where management of human resources is either necessary or desirable. The authoritarian model has been challenged quite often as being antithetical to the democratic ideals of this country, and subsequently several attempts to initiate participatory management have been made in numerous aspects of society, including education, industry and mental health. The endeavors in these other fields have been very similar to those in corrections. Because the basic elements comprising participatory management are the same for all systems, attempts in other areas have followed closely the models presented during the discussion on penology. The relative number of attempts using each model also tends to be the same. There have been relatively few attempts approaching the Full Participation model, but innumerable ones using the Quasi-Governmental and Token participation models.

Education

The field of education most closely resembles that of corrections. Education is a large, firmly entrenched institution with vested interest in its continued operation in present form. Its function, much like that of prisons, is to properly socialize its charges, the students. It is managed under the authoritarian model with the principal having complete authority within the individual school while being responsible to a larger bureaucratic structure. By interchanging the terms warden for principal, guards for faculty, inmates for students, and prison for school, one immediately recognizes the striking similarities between the two types of institutions. Even the criticisms leveled against both types of institutions are the same: both have been called inhumane, inflexible, and destructive to human intellect.

As in corrections, the concept of participatory management has often been considered as a possible solution to some of education's ills. Many attempts have been made to involve students in the management of their school with varying degrees of success. Most have failed to make any appreciable changes.

The most prevalent type of student participation has been through the traditional student councils, that are an almost exact replica of the inmate advisory council. They are generally operated under the Quasi-Governmental model and exercise no decision-making power. Student councils are often considered by students and faculty alike as training grounds on which to practice leadership and learn responsibility; the assumption is that students learn responsibility by practicing the motions, much like learning to shoot a gun without ever firing it.

There also have been many attempts at student participation that have used the Token Participation model. Primarily because of student unrest in the late 1960's, many schools now make use of ad hoc committees, task forces, school-community councils, and student councils with decision-making power in specific areas in order to increase student participation and interest. However, student involvement in these cases is limited to time, topic, and physical area as is the case in penology.

There have also been several attempts to introduce participatory management into school systems under the Governmental model. A recent one was the Staples High School in Westport, Connecticut. Located in a wealthy suburb of New York City, the school has an enrollment of 2000 students, about 85% of whom plan to attend college after graduation. The community of Westport is very conservative politically, and there has been some opposition to the establishment of participatory management at the school.

The Staples Governing Board (SGB) was an outgrowth of a desire by the school principal to change the atmosphere of the school into a less rigid academic environment. At the same time, students were aware of the general turmoil on college campuses and were pushing for change. In the spring of 1969, the old student government resigned en masse because it considered itself to be useless. A student and faculty committee worked from then until fall to establish the SGB, which began formal operation in January 1970. The SGB consists of ten students, seven teachers, and three administrators, each elected by their own peers. Meetings are held weekly, with an additional meeting held monthly to encourage parental participation. The principal has two veto powers by which he may overrule bills passed by a 60% majority vote of the SGB. He may exercise "suspensive veto" which the SGB may override by a 75% vote, or he may use an absolute veto which can only be overridden by appeal to the school board.

From available sources, it appears that the SGB functions primarily as a legislative body; its responsibilities are rather extensive. One proposal that suffered a suspensive veto suggested major changes in the final exam system. The veto was exercised because the principal found considerable opposition to the bill from many students and faculty, and he desired the SGB to work for an alternative plan that would be more satisfactory to everyone.

The SGB also has passed a measure allowing students to choose one course on a pass/no record system. If the work is satisfactory, a pass is recorded; if not satisfactory, no record of the course is entered on the student's college transcript. The purpose of this measure was to stimulate students and to encourage them to take harder but more interesting courses. Another proposal considered gave students the absolute right to review their records, with the exception of the specific personal comments by teachers; while another proposal awarded credit to students for extra-curricular activities.

As it stands now, the Staples Governing Board cannot be considered an example of Full Participatory management because its proposals and changes, while significant, do not affect the administrative and teaching personnel as required in the Full Participation model. Presently, the SGB appears to be operating under the Governmental model. The board members seem to be aware of this inadequacy themselves; they are making attempts to have their authority officially recognized with the elimination of the absolute veto power of the principal. Current SGB president David LaPonsee, a history teacher, states:

Right now, I have to say we're operating at the sufferance of a benevolent principal. In the hands of an authoritarian principal appointed by a conservative school board, the absolute veto power could make the SGB totally ineffective.³⁴

In all respects other than decision-making power, the SGB is a unique, exciting attempt at involving students and faculty in the decision-making process. However, until it makes that final step to make decisions that affect both faculty and administrators as well as students, the Staples

³⁴David LaPonsee, quoted by Susan Jacoby in "What Happened When a High School Tried Self-Government," Saturday Review, Vol. 55, New York, April 1, 1972, p. 52

Governing Board cannot be considered as Full Participatory management. The SGB's push for more power will make or break the administration's credibility with the faculty and students, and will expose the true feelings of both the school board and principal and will attest to their integrity. If the power and authority are not delegated, we can expect to see a decline in interest in the SGB by all parties who will view it as a futile exercise in pseudo government.

The element of administrator's risk is also attested to by the principal of the school, James Calkins:

If the principal and the administration aren't willing to take risks, this kind of system won't work. Running a school with a governing board is much less efficient than running a traditional school. You have to consult other people before you do something. Think about that. You actually have to consult other people³⁵

A form of student self-government has existed at a small, private school in Summerhill, England, for many years. Established by A.S. Neill in 1924 to educate "problem children" ranging in ages from four to sixteen, it has served as a model for many such attempts in the United States. During its peak years from 1934 to 1949, the school had an enrollment of 70 students with 14 staff. All accounts indicate that the school is still in operation at this time.

The system at Summerhill was based upon the philosophy of the Head Master, Mr. Neill, and the school served as a trial for this philosophy. The concept of self-government was imposed from the top, as Mr. Neill states: "When we founded the school we resolved to have no government from above, and self-government was, as it were, forced on the children."³⁶ The form of this government evolved from simple group meetings to a parliament of five students elected from the students at large. Parliament was chaired by a student, and staff were welcome to attend all meetings.

³⁵Ibid., James E. Calkins, p. 53

³⁶A.S. Neill, quoted by Leslie R. Perry ed., in Bertrand Russell, A.S. Neill, Homer Lane, W.H. Kilpatrick, Four Progressive Educators, Collier-Macmillan Ltd., London, 1967, p. 74.

This parliament exercised both legislative and judicial functions at the school. Any subject could be discussed freely, and the body also had some powers to make decisions, but these were mostly concerned with the students' affairs, not the management of the institution. Neill felt that certain areas were not within the scope of student decision-making and reserved the right to make those decisions himself. Mr. Neill felt that:

Some of us ask if elders do know better. In Summerhill, I know better about some things. I don't ask the pupils to appoint a teacher; Edna does not ask what food they shall have. I decide about fire escapes, Edna about health rules. We buy and repair the furniture; we decide what textbooks should be bought. None of these factors come into self-government. Nor do the pupils want them to. Self-government to them means dealing with situations that arise in their communal life; they can say what they like, vote how they like in a meeting, and they never wait to see how the staff votes.³⁷

Two statements made by inspectors of the Ministry of Education in a report sheds further light on Neill's philosophy with regards to the delegation of authority to students:

There are a number of laws concerned with safety of life and limb made by the children but approved by the Head Master only if they are sufficiently stringent.

Laws are made by a school parliament which meets regularly under the chairmanship of a child and is attended by any staff and child who wish. This assembly has unlimited power of discussion and apparently fairly wide ones of legislation. On one occasion it discussed the dismissal of a teacher, showing, it is understood, excellent judgment in its opinions. But such an event is rare, and normally parliament is concerned with the day-to-day problems of living in a community.³⁸

³⁷Op. cit.

³⁸Ministry of Education: Report by H.M. Inspectors on the Summerhill School, Leiston, Suffolk East, inspected on 20th and 21st June, 1949," in Radical School Reform, ed. by Beatrice and Ronald Gross, Simon and Schuster, New York, 1969, p. 248.

As evident from statements by Mr. Neill and others, Summerhill is operated under the Governmental model, as the students have no authority with respect to staff personnel or with the overall management of the institution. Even so, there appears to be a sense of mutual trust and cooperation between Mr. Neill and the students; and a vested interest in the parliament on the part of the students can be seen in this statement by Neill:

I think the test of the value of self-government lies in the determination of the pupils to retain it. Any suggestion of abolishing it, even to limiting its powers is met by a very strong reaction. I have, suggested abolition twice but would not dare ever to do so again.³⁹

One can only ask how much stronger would this relationship be if the students were granted even greater authority, and how much harder it would be to take away that power once established?

The literature review of education has revealed a great deal of written material concerning participatory management and student self-government, but no cases in elementary schools, high schools, or colleges were located where it has been accomplished using the Full Participation model. If student participation exists, it is usually in the form of token participation and limited with respect to duration, topic, or physical area. The push for student power during the late 1960's was concerned with student participation in the management of educational institutions, and while awareness of the lack of student input was raised, little was actually accomplished to involve students actively in the management of their schools.

Industry

Business and industry are fields where participatory management has been given more of a trial than either in education or corrections. A considerable quantity of material has been written on the merits and problems of employee involvement in participatory management. Many attempts to involve the workers in company management have been

³⁹A.S. Neill as quoted by Leslie R. Perry in Bertrand Russell, A.S. Neill, Homer Lane, W.H. Kilpatrick, Four Progressive Educators, Collier-Macmillan Ltd., London, 1967, p. 78.

documented, and some research has been conducted comparing participatory management with other managerial methods, particularly the authoritarian model.

Participatory management is a relatively new concept in business, owing its major impetus to the rise of behavioral science and motivational theory. It appears that most attempts at worker participation in management have been based upon motivational theory and research rather than upon the intuition of individual reformers as has been the case in corrections and education.

This difference may be due to the unique ability of business to measure success or failure in monetary terms. Rather than being limited to demonstrating human development in abstract and theoretical terms as is most often the case in education and corrections, industry has the advantage of having relatively well developed cost and production analysis systems which can be useful as additional indicators of the value of participatory management. Because of the profit motivation in business, this additional element has played an important part in the formation and evaluation of participatory management in this field.

An influential plan of participatory management during the 1940's and '50's was "The Scanlon Plan" developed by Joseph Scanlon of the Massachusetts Institute of Technology. Scanlon felt that workers should participate in the company management by criticizing company practices and offering positive and constructive suggestions for improvement. He understood that this participation needed to be company-wide and could not be restricted to specific topics only. As one of his followers has noted, "This is not a limited concept. Workers cannot be expected to 'participate on safety but not on scheduling.'"⁴⁰

Scanlon's main premise was that workers are able, and want to make contributions to the solution of company problems. Depending on its implementation, the Scanlon Plan may exemplify any of the managerial models presented earlier. Scanlon did not explicitly suggest that employees should participate in the actual decision-making process itself; his plan only states that they should be consulted. As a result, some companies using the Scanlon Plan as a guide would have to be classified under the Token Particip-

⁴⁰Shultz, George P., "Worker Participation on Production Problems," Personnel, Orange, New Jersey, November, 1951, p. 202.

ation or Quasi-Governmental models. Even though Scanlon urged worker input into the entire company, often the actual result has been to allow worker input only in certain selected areas. Several of the companies claiming worker participation were little more than cases of profit-sharing.

According to two social psychologists:

The importance of participation when new goals are being imposed on the members of working groups has also been demonstrated by Bavelas (reported in Maier, 1946), who was able to increase the output of a group of sewing-machine operators by inducing them to decide as a group on newer and higher production goals. Schemes have been devised and implemented in selected industrial concerns to insure continued participation of the workers in decisions about production procedures. The boldest of these is the Scanlon Plan which involves profit sharing as well as participative decision-making. Katz and Kahn (1966) point out how delicate a matter the institution of such a plan is, and discuss several cases in which the innovation was misinterpreted by the workers. Participation is not an automatic panacea for organizational ills, then, but under proper conditions it certainly may facilitate the internalization of group goals by the individual.⁴¹

There were, however, several companies that have used Scanlon's plan to install a high degree of worker participation in the management of the company. Perhaps the most celebrated, but not the only one, has been the LaPointe Machine Tool Company of Hudson, Massachusetts. The company used production committees in which workers from the shops could make suggestions and put them into effect if they did not involve other departments or large expenditures. Over these production committees was a screening committee, which dealt with issues of a wider scope. The screening committee consisted of representatives of both labor and management. Statistics given stated that the screening committee received 513 suggestions in a 24-month time frame, of which 380 were accepted, 28 started, 32 were pending, and 65 had been rejected.⁴²

⁴¹Jones, E., and H. Gerard, Foundations of Social Psychology, Wiley and Sons, Inc., New York, 1967, pp. 615-616.

⁴²Davenport, Russell W., "Enterprise for Everyman," Fortune, Vol. 41, Denver, January 1950, p. 57.

The focus on this screening committee was on production and the reduction of costs. Other aspects of company management such as hiring and firing of personnel, company policy decisions, and priorities were not dealt with by the committee. As articulated by the union president, the company philosophy did not necessarily include shared decision making with the workers, even though employee participation was encouraged:

When he uses the word participation, the average executive usually has something rather superficial in mind. He seeks to develop in the worker a feeling of participation, a sense of belonging. But is this quite honest? To make the worker feel that he is participating without giving him a real participation is, after all, to fool him; and deception is a flimsy, not to say an inflammable, foundation for industrial relations. Real participation consists in finding a means by which to reward labor for any increase in productivity, and then in building around this formula a working relationship between management and labor that enables them to become a team. Once a team has been established, it is found that labor's prime interest, just like that of management, becomes productivity.⁴³

Actual classification of the Scanlon Plan as implemented by the LaPointe Company is very difficult without further information. It is certainly clear, however, that it is not a case of full participation on the part of the employees, in a wide scope. For all practical purposes, the Scanlon Plan embodies profit-sharing more than participatory management.

Another proponent of participatory management is Rensis Likert, who has developed a typology of managerial systems consisting of four types: System 1 (exploitive-authoritative), System 2 (benevolent authoritative), System 3 (consultative), and System 4 (participative). Dr. Likert characterizes the participative system as:

This managerial system assumes that employees are essential parts of an organizational structure which has been built at great cost and necessarily maintained with the same attention and care given more

⁴³Ibid., p. 57.

tangible assets. It conceives of decision making as a process, rather than a prerogative, with the manager's making sure that the best possible decisions result. In this light, he focuses his efforts upon building an overlapping structure of cohesive, highly motivated, participative groups, coordinated by multiple memberships. Within this highly coordinated and motivated system, characterized by high mutual confidence and trust, communication is adequate, rapid and accurate. Because goals are established and decisions made with the participation of all those affected, objectives are comparatively closely aligned with the needs and interests of all members, and all motivational forces push in the direction of obtaining the established objectives. The closely knit system in addition permits superiors and subordinates alike to exercise great control over the work situation. Employees at all levels are highly satisfied, but without complacency, and feel great reciprocal respect and trust. Performance is very good; costs, absence and turnover are low; and high quality is the natural concern of all.⁴⁴

Dr. Likert has developed a scale by which a company's managerial practices can be plotted on a grid to determine the type of system used in that company. When applying this scale to the Scanlon plan, Likert states:

Recently data were obtained on the management systems of a group of companies employing the Scanlon plan. This is a rather unique plan for profit sharing based on labor-management cooperation...System 4 actually requires an even more fully developed interaction-influence system than most Scanlon-plan companies now use.⁴⁵

One company which earned a high rating on the Likert scale is the Harwood Manufacturing Corporation. This company has been using a participatory management system with great success for years. In 1962, they bought out their largest competitor in the pajama industry, the Weldon Company. They proceeded to change Weldon's authoritarian

⁴⁴Narrow, Alfred J., Bowers, David G., and Seashore, Stanley E., Management by Participation, Harper and Row, New York, 1967, pp. 217-218.

⁴⁵Likert, Rensis, The Human Organization, McGraw-Hill Book Co., New York, 1967, p. 40.

managerial format to participatory management, as existed at the Harwood Corporation. The result was a complete switch in terms of profit, employee-management relations, and production.

The system in effect at Harwood, and later at Weldon, involves employees in decision-making on problems that directly concern them, and in offering opinions on issues that are not directly concerned with them.

According to Harwood supervisors:

Participation must be consistent with what is feasible and must be realistic in terms of the work to be done. They are not asked to "decide" on anything unless the decision is really up to them. If it is not, they may be asked for their counsel, but not their consent. The distinction is clearly made, in discussing problems with them, between "we'd like your opinion" and "the final decision is going to be up to you."⁴⁶

The exact structure used for employee participation is not known, but it appears clear that both Harwood and Weldon employed systems similar to the Governmental model. In self-reporting surveys conducted with both employees and managers responding, both companies rated themselves as not fully participative, and Weldon employees and managers considered themselves to be using an advisory system.

There are many more companies using some form of worker participation approximating a fully participative model. The General Foods pet-food plant in Topeka, Kansas, has organized workers into teams who are responsible for their own work schedules, arrange their tasks as a unit, and participate in committees dealing with many other aspects of production and recreation. Workers are involved in hiring and firing personnel and have formulated their own pay scales. A similar system has been established at Procter and Gamble's Lima, Ohio, plant, which is referred to by the company as "industrial democracy." In this plant, workers participate in drafting the budget, pay scales, and production plans.

One of the pioneers of the "democratic" approach to management was the Tennessee Valley Authority (TVA) created in 1933. Rather than using either a pure authoritarian approach (Maslow's Theory X) or pure democratic approach

⁴⁶Ibid., Marrow, Bowers, and Seashore, p. 26.

(Maslow's Theory Y) to management, the TVA opted for an indirect method of employee participation. A Theory Y approach would emphasize direct participation on the job between employee and his supervisor, and other employees. This indirect approach is implemented by using union representatives as well as other programs to inform management of employee suggestions and to settle grievances. The management and trade unions sponsor 98 employee-management committees throughout the system, with the top representatives of each unit representing management, and eight to ten employees represent the union members. This system works out to about one representative for every ten employees of TVA. The functions of these committees are quite varied:

Through collective bargaining, employees are given a voice in determining the terms and conditions of their employment. TVA and the unions representing TVA employees have negotiated agreements regarding classification of positions, work schedules, salary schedules, promotion, transfer, suspension, reduction in employment, grievances, employee-management cooperation, and employee training.

Through the program of employee-management cooperation, employees are encouraged to contribute their suggestions for improving communications between employees and management; eliminating waste; correcting conditions making for grievances and misunderstanding; improving working conditions; and conserving manpower, materials, and supplies.⁴⁷

The indirect approach to participatory management does not appear to be working as well as would be liked by the management of the TVA. Professor Arthur Thompson of the Virginia Polytechnic Institute reports that there is considerable dissatisfaction among workers with regards to their level of participation available through the indirect method.

Further support for this finding is shown in the responses of the 911 salaried, non-managerial empl-

⁴⁷Thompson, Arthur A., "Employee Participation in Decision Making: The TVA Experience," Public Personnel Review, Chicago, April 1967, p. 83.

oyees to the statements in Table II. The employee response to statement 1 indicated that a sizable percentage (approximately 34 per cent) believed that they were not given sufficient opportunity to participate in decisions which affected them and their jobs.⁴⁸

Thompson evaluated the TVA approach in this way:

The results of a recent questionnaire survey of managerial and salaried, non-managerial employees at TVA suggests that employee job satisfaction and productivity might be increased by a shift away from the strong emphasis on indirect employee participation in decision making to a more balanced concept of participation that incorporates more of the elements of direct participation advocated by the Theory Y model.⁴⁹

The management and employee responses to the statements in Tables I and II indicate that TVA's policy of indirect participation through unions fails to allow substantial numbers of employees sufficient opportunity to express their ideas or use their own initiative, creativity, and judgment in performing their jobs.⁵⁰

Thompson attributes a great deal of the dissatisfaction among employees to the use of collective bargaining as the means of employee participation. He claims that the TVA management has abdicated its responsibility for leading and motivating the employees and "handed them over" to the unions. He advocates a more balanced means of employee participation using Theory Y principles, with more emphasis on the individual in his work unit.

The TVA experience would have to be classified under the Quasi-Governmental model primarily due to its advisory qualities. The shift in emphasis to more direct participation advocated by Thompson is unlikely to move it from that model to the Full Participation model, although it could theoretically advance it to a Governmental Model. The TVA approach is a good example of the dissatisfaction and disinterest that can result under the Quasi-Governmental model. Thompson concludes that:

⁴⁸Ibid., p. 85.

⁴⁹Ibid., p. 84.

⁵⁰Ibid., p. 85.

Although slightly more than 70 percent of the management respondents viewed the TVA program of employee-management cooperation as providing a valuable means of exchanging ideas between employees and management, barely 50 per cent were able to say that the program was worth the time and effort expended. Moreover, slightly more than 46 per cent of the 346 respondents believed that TVA employees were less 'productivity-conscious' than they should have been.⁵¹

One interesting case of participatory management failed. During the 1960's, president Andrew Kay of Non-linear Systems tried participative management using the motivational theories of Maslow, Likert, McGregor, and Herzberg. He employed a management consultant firm to assist him in initiating the system. Up until 1970, the system worked very well. When the aerospace industry ran into trouble, Kay's company was not able to adjust rapidly enough and was in serious trouble for the next three years. Kay has now returned to the authoritarian approach and the company is beginning to get back on its feet. According to Kay, "I must have lost sight of the purpose of business, which is not to develop new theories of management."⁵² Kay and the management consultants disagree about the reason for the trouble. Kay claims that the experiment caused him to lose touch with the company. The consultants blame Kay. Another view is that Kay may not have provided to the company the leadership required of an administrator of a participative company.

One of the advantages of participatory management is to free management from worrying about daily considerations so they may spend more time on planning and supervision. The management of Kay's company became involved in sensitivity training, trying new participative techniques, and becoming friends with employees. As reported, Kay was supposed to be free for long-range planning; obviously he did not do his homework, as the lack of long-range planning destroyed the company. According to Kay, "Both workers and managers operated without really knowing what was expected of them, or how they were progressing."⁵³

⁵¹Ibid., p. 84.

⁵²"Where Being Nice to Workers Didn't Work" Business Week, Hightstown, New Jersey, January 20, 1973, p. 98.

⁵³Ibid., p. 99.

Summary

Worker participation is being organized in white-collar occupations also. Office workers and professional staff of parole and community service departments have begun to form committees in order to secure participation of all levels of staff so as to draw on the broadest possible range of ideas and talents.

It also should be noted that many foreign countries have institutionalized worker participation to varying degrees in their national industries and political systems, such as Yugoslavia, Great Britain, West Germany and others. While not coming under the scope of this study, a considerable amount of material has been written concerning the Yugoslavia form of industrial democracy, which makes use of workers councils to aid in the decision-making for companies. Comparative studies have been conducted between the various systems and can be of interest to anyone desiring to explore this area further.

As a whole, the industrial field has had more attempts than either corrections or education at participatory management in which the essence of participatory management was present, even though not fully participative in nature. In many companies, the elements of trust and cooperation have been highly developed, equalling that of Maconochie, Gill, Osborne, and Murton in corrections. This analysis has been very critical of these attempts, however, because it is believed that the time will come with these efforts when the workers or students ask too much, desire too much participation, and at this point the credibility of the managers or faculty will be destroyed. If management does not enter the trial willing to share this decision-making power, at some time in the future he may be asked "why not?" Only when the Full Participation model is used can this problem be overcome. No matter how much trust and cooperation exists at present, it is a tenuous thing, and can be lost quickly.

State of the Art

A comprehensive review of the literature in penology (and to a lesser extent in education and industry) has revealed that participatory management means different things to different people. The multiple purposes for involving subjects in the decision-making process have resulted, as could be anticipated, in a variety of models manifesting diverse functions.

Also, the success or failure of participatory management efforts have been determined largely by whose perspective (management or labor) was used as a frame of reference for evaluating the attempt. Another obvious difficulty in assessment of this phenomenon is a notable lack of agreement on definition of terms, goals, and effectiveness. Even "democracy" is subject to many interpretations and evaluations.

Using the factors of representation and power as the two most easily identifiable and the most important variables of interest, four types of participatory management models have been identified. As expected, while most of the historical examples of participatory management can be classified easily as one type or another, there are some examples which are not all that distinct.

There is a blurring of the boundaries of demarcation in some cases when the effort did not clearly fit into a pure model. When such ambiguity has arisen, the appropriate typology has been determined by placing the example in the next lower model category to be conservative in the assessment. One result of the inability to place all historical models into neat typologies gave rise to the creation of the fourth, hypothetical model.

From the historical review, several things become clear: (1) The Full Participatory management model has never been attempted; (2) no adequate research design or evaluation component has been incorporated in experiments in participatory management;⁵⁴ (3) efforts have emphasized participation and have largely ignored management; (4) implementation of the various models either has been a pragmatic response to a crisis or an intuitive innovation—there has been no theory-grounded base for the "experiment;" and (5) the notion of participatory management has been (unfairly, we believe) discarded because of misunderstanding, fear or prejudice.

Also contributing to the lack of faith in participatory management has been the common, but unwarranted, confusion between the professional and personal "success" and/

⁵⁴A possible exception was Gill's work but he was removed as research director at the same time he was fired as warden and this action terminated the research.

or "failure" of those penologists who have ventured into the realm of full participation. One major purpose of the present research, described in the next chapter, is an assessment of the current state of the art in relation to the historical perspective provided by the literature review.

PART TWO

The Present

CHAPTER III

CURRENT CORRECTIONAL PRACTICE:

MAIL SURVEY

Recent events brought into sharp focus the necessity for an Inmate Advisory Council here in Stillwater Prison. The basic requirements of a modern approach to penology demand a high level of communications between inmates and staff, inmates and administration and also between staff and administration.

History shows that prison Inmate Councils have developed which functioned for a time, some of them successfully, under administrations which recognized their need and the advantages they could bring. In the past, none of them had included representatives of staff which, by the nature of their stature, could lend strength, stability and dignity to the body. The history of inmate councils has always included a footnote of their demise.¹

Several factors may limit the validity and generalizability of the present research. First, there may be some selection factors which bias the results. In both the mail survey and the on-site visits, respondents selected themselves to participate. With respect to the mail inquiry, not all of the institutions which received questionnaires returned them. There may be characteristics about the councils of those institutions that did not respond which differentiate them from those institutions that did respond;

¹The Prison Mirror, Editorial, Stillwater, Minnesota, Vol. 86, No. 10, January 5, 1973, p. 2.

these distinctions may bias the data. In terms of the on-site visits, since interviews were conducted with volunteers, the investigators did not obtain a random or a representative sample of responses from administrators, staff, and inmates at each institution visited. Thus, the results of the on-site visits reflect the perceptions of those who wished to participate in the interviews.

Secondly, the perceptions in both the mail survey and the on-site visits are limited by the types of respondents (i.e., administrators, staff or inmates) who participated. Since only one questionnaire was sent to each institution, and since most questionnaires were completed by an administrator, the results of the mail survey primarily reflect administrators' perceptions of the councils. Similarly, with respect to the on-site visits, since the investigators were unable to conduct a thorough survey of staff and inmates in each institution visited, the types of responses are limited to those classes of respondents who were interviewed. In the on-site visits, investigators were unable to interview a few staff members, administrators, and inmates. However, since only unreliable samples of each group were interviewed during the visits, the perceptions obtained may not reflect consensus.

Finally, the validity of the data base is dependent, to a large extent, upon the knowledge and recollections of the respondent. With these biasing factors in mind, the reader should cautiously interpret the findings of the present research effort and should not go beyond the data.

MAIL SURVEY

Variables of Interest

The two main variables explored in the mail survey, were those discussed previously: representation and power. For each variable, there were various sub-categories of interest. Within the variable of representation, the investigators were interested in determining who is represented on the council (i.e., staff, inmates, administration) and the process whereby council members are selected (i.e., election vs. appointment; criteria for eligibility; the selection process).

For the variable of power, we hoped to determine the duties or responsibilities that typify most councils in adult American prisons and the extent to which the council plays a decision-making (as opposed to an advisory) role in the management of the institution.

In addition, we endeavored to determine the general council structure, the reasons councils were created, whether or not the councils encountered any resistance in their initial formation and how this resistance was overcome.

Since the primary purpose of the mail survey was to ascertain the general characteristics of inmate councils in American correctional and penal institutions, there are areas of interest which may not be tapped by the questionnaire. In fact, the present research has generated an entire spectrum of additional research questions which may be explored in further studies. For example, the data indicates that in many instances there is resistance to recommended changes. Of interest would be the determination of the informal methodology utilized to circumvent formal organizational structures.

1. Procedures

In order to obtain the information pertaining to the variables mentioned above, an eight-page questionnaire composed of 55 questions was devised. (A copy of the questionnaire is included in the Appendix.) Early in July, 1974, this questionnaire was sent to 148 adult state and all adult federal institutions. To those institutions which had not replied within two weeks, a second questionnaire was sent. In another two weeks, a third questionnaire was sent to those institutions which still had not responded.

In October, 1974, the data from all the questionnaires received up to that point was analyzed, using the University of Minnesota computer facilities and the UMST 600, descriptive statistics program. The data is discussed primarily for all institutions combined. However, the tables present the data for all institutions combined, as well as for the institutions according to the sex of offenders; that is, institutions that house male offenders, institutions that house female offenders and institutions that house both sexes of offenders. Whenever possible, the data is summarized in tabular form.

2. Sample

The institutions selected to receive the survey were adult American correctional institutions that had reported in a previous study the existence of some form of inmate council. In addition, other institutions known to have an inmate council were included in the survey.

Questionnaires were sent to a total of 172 adult institutions; 148 state and 24 federal institutions. Of these institutions, 144 house male offenders, 18 house female offenders and 10 house offenders of both sexes.²

One hundred and thirteen, or about 66% of the institutions surveyed returned the completed questionnaires. Twenty of these institutions reported that they did not have an inmate council. Thus, the data from a total of 93 institutions, 67 male, 16 female and 10 both sexes, was analyzed.

3. Characteristic of Respondents

The number of inmates housed in the surveyed institutions ranged from 40 to 4,345 for male prisons, 20 to 750 for female prisons and 130 to 2,000 for prisons that house offenders of both sexes (i.e., 4 to 1800 male inmates and 18 to 250 female inmates). The average daily count in male prisons surveyed was 1,086, for female prisons, the average daily count was 231 and for prisons that house

²Initially, the investigators had intended to include only coed prisons for those institutions housing both sexes of offenders. The term "coed" in this context would have included those institutions in which offenders of both sexes live on the same grounds (but are housed separately), and attend vocational, educational and/or recreational programs together. At the present time, there are three known adult institutions which conform to this restricted definition of "coed": Framingham, Massachusetts; Fort Worth, Texas; and Vienna, Illinois. Since this limited definition of "coed" encompasses a sample size too small to make legitimate generalizations, the definition of "coed" was expanded to include those adult institutions which house both sexes of offenders; male and female offenders may or may not participate in programs and activities jointly. Therefore, the data should not be construed as reflecting the characteristics of councils in true coed institutions as the term is defined above. Ten respondents replied that their institutions house offenders of both sexes. The data from these institutions has been included in the analysis.

both sexes, 738. In the latter case, the average number of male inmates is 642 and the average number of women inmates is 109. The average length of stay is 28 months for both male and "coed" prisons and 21 months for female prisons. The prisons surveyed included all custody grades, as shown in Table 3 located, as other tables in this chapter, in the Appendix.

Although the questionnaires were sent to the superintendents at each institution, other prison officials, staff and inmates often completed them. Superintendents, Associate Superintendents and administrative assistants to the Superintendent completed 63 questionnaires; educational supervisors and caseworkers completed 14 questionnaires; guards completed 8 questionnaires; and inmates completed 7 questionnaires. One respondent did not indicate his position in the institution. The institutional positions of respondents completing the questionnaires appear in Table 4.

Results

1. Formation of the Councils

Eighty-four respondents (90.32%) recorded the year in which the councils were created. Sixty-three (75%) of these councils were created between 1970 and 1974. Only 21 (22.59%) councils were created prior to 1970. The earliest council in an institution housing male offenders was created in 1927; the earliest council in a women's prison was created in 1950; and the earliest council in an institution housing both sexes of offenders was created in 1963. Table 5 presents the years in which the councils were created.

An interesting result is that the creation of the councils reached its peak in 1972; more inmate councils were created in that year than in any other year (24 or 25.81%). This upsurge in the number of councils may have been a reaction to the Attica holocaust in September 1971. Following the Attica riot, an air of tension and crisis gripped American prisons. That event generated concern and maybe even fear among correctional administrators. Perhaps inmates demanded a stronger voice in managing their own affairs and thus struggled to create new councils. Perhaps administrators responded by attempting to improve communications with the inmates and, through the creation of inmate councils, to avoid replicating the Attica experience in their own institutions.

However, the extent to which the Attica incident stimulated the proliferation of councils can be substantiated only by further research. In any event, the fact that this increasing trend in the formation of councils did not continue beyond 1972 suggests that the impact of the Attica spectre was short-lived. In 1973, only 5 and in 1974 only 4 councils were created.

The data indicates a decreasing trend in the creation of new councils at least over the next few years or until another institutional crisis rocks the correctional world. As the echoes of helicopters and bullets fades into the archives of history, perhaps the general conditions of crisis, conducive to effecting change, will diminish also.

2. Reasons for the Councils' Creation

By far, the most frequently cited reason for the creation of the council was to promote communications between staff and inmates. In response to the question of why the council was created, 90 respondents (96.77%) said it had been to improve communications between staff and inmates; 78 respondents (83.87%) said it had been to assist management by identifying institutional problems; 64 (68.82%) said it had been to deal with inmate grievances and 37 (39.78%) said it had been to deal with a crisis in the institution. The reasons cited for the creation of the councils are presented in Table 6.

In contrast with the other types of institutions, 80% of the institutions that house offenders of both sexes reported creating the councils to deal with an institutional crisis. In addition, all of those institutions reported creating the councils to assist management by identifying institutional problems and to promote communications between staff and inmates. This data suggests that perhaps the tensions or special problems which may develop as a result of housing both sexes in the same facility might be handled by coalescing forces in a common council. However, the effectiveness of those endeavors to alleviate any difficulties in the institution can only be measured by careful scrutiny of the councils' activities in those institutions.

Additional reasons cited for the councils' creation included: "to guide sub-committees;" "for the good of the institution;" "to change a very old archaic rule structure;" "to make recommendations to the administration to correct problems;" "as a directive of the central office;" and "to improve communications among the inmates."

3. Resistance to the Councils' Initial Formation

Twenty-nine respondents (31.18%) reported initial resistance to the formation of the council. Twenty-five of these respondents (86.21%) said that the resistance came from staff; 12 (41.38%) said it was from inmate groups; and 9 (31.03%) said it was from the public or the institutional administration. Table 7 indicates the reported resistance and the sources of this resistance to the initial formation of the councils.

This resistance was reportedly overcome primarily with the passage of time by 11 (37.93%) respondents. One respondent wrote: "After a change in the superintendent, the staff slowly learned to accept the council." Another respondent replied: "...primarily through time; the formation of the council was required by the administration and the staff learned it was not the potential threat, as earlier they felt it would be."

Six respondents (20.69%) reported that the council members' interactions with adversary factions helped to reduce the resistance. One respondent replied that the resistance was decreased "...by open, honest dialogue with the total inmate body, through open honest forums held in the gym at night."

Three respondents (10.35%) reported that the superintendent encouraged the creation of the council. As one respondent put it: "The administration approved it, and since then, it has proven its worth to the line staff."

Another respondent said: "Persistence, interest from leadership, seeing the council wish to assist both staff and inmates, vastly improved communications."

Only one respondent reported that the staff resistance was not overcome and this council was eventually discontinued about a year later. Table 8 indicates the ways in which respondents said the resistance to the initial formation of the council was overcome.

4. Council Structure

All respondents reported that inmates always participate on the council. In addition, 17 respondents (18.28%) reported that line staff and 17 respondents (18.28%) reported that program staff also participate on the council.

Forty-two respondents (45.16%) said that the superintendent or an administrator is part of the council. Two respondents (2.15%) replied that community members serve on the council. These results are tabulated in Table 9.

These results indicate that whereas inmates always participate on the councils, administrators, and staff less frequently serve on the councils. The finding that the superintendents or staff participate as council members in less than half of the councils suggests that these officials generally play an advisory rather than an active role in the councils. If the administrator and staff roles are mainly advisory, perhaps their impact on the councils continuance or success also may be minimal. However, the validity of this speculation can only be disclosed by additional research on the attitudes of prison officials toward the councils.

In terms of council officers, the most commonly found positions are the chairman and the secretary. Seventy-three respondents (78.49%) said that their councils have a chairman; 66 (70.97%), a secretary; 45 (48.39%) have a co-chairman or vice-president; 12 (12.90%) have a treasurer; and 13 (13.98%) have a sergeant-at-arms. Table 10 presents the organizational positions of the councils.

However, less than half (39 or 41.94%) of the respondents reported that their councils elect an Executive Council or Committee. Twelve (75%) of the women's institutions surveyed reported that their councils do not select an Executive Committee. Respondents reported that the Executive Council/Committee is usually composed of the main council's executive officers. The principle functions of the Executive Council/Committee include presenting materials to the superintendent and ensuring the smooth, proper operation of the main council. Thus, where it exists, the Executive Committee/Council apparently serves as a liaison between the main council and the administration. Responses to the question of whether or not the councils have an Executive Council/Committee also appear in Table 10.

Slightly more than three-fourths, 72 respondents (77.42%) reported having a formal constitution, by-laws or set of rules which govern the council's operation. Of those respondents who said they had some form of guidelines for the council, either the staff and inmates jointly or the inmate council were the most frequently cited authors of the guidelines. Forty-one of these respondents (56.94%) said that the guidelines were prepared by the staff and inmates jointly; 38

respondents (52.78%) said the inmate council prepared the guidelines; 24 (33.33%) said the superintendent/administration; 21 respondents (29.17%) said the Department of Corrections; and 8 respondents (11.11%) said the entire inmate population was involved in preparing the guidelines. In addition, two institutions (one male and one female) reported that they used the constitutions from other institutions as models in devising their own. Table 11 indicates how many councils have formal guidelines and who drew them up.

The finding that council guidelines frequently were prepared by the staff and inmates jointly suggest that these usually adversary factions successfully united forces in this endeavor. An interesting follow-up study would be to trace the evolution of these councils in order to determine the extent of the vested interest of both staff and inmates in the councils over time. Perhaps the initial interest and cooperation in creating the guidelines has grown or dissipated since the councils' inception. The fact that the staff and inmates jointly or the inmate councils themselves devised the guidelines more frequently than the superintendent or the Department of Corrections suggests minimal administrative involvement, at least in this aspect of the councils' formation. In other words, at least at the outset, one would expect that the inmates, and perhaps staff to the extent that they were involved, probably had a great deal of input and therefore, possibly a great deal of interest in the formation and the success of the councils. However, further research is required to validate this supposition.

All but three of the respondents reported when the councils convene regularly. Thirty-eight respondents (40.86%) reported that the councils convene once a week or more. Twenty-six respondents (27.96%) said their councils meet twice a month; 25 respondents (26.88%) said they meet once a month and only one respondent (1.08%) said the council convenes less than once a month. Table 12 indicates the frequency with which councils reportedly meet.

An additional question dealt with who may convene the council when the council does not meet regularly. Since all but three of the respondents indicated that the councils meet regularly, only three respondents should have completed this question. However, a total of 23 respondents (23.66%) answered the question; this total includes two of the three respondents who said that their councils do not convene regularly. One of these two respondents said that the staff and the other said that the inmates may convene the council. Omitting the responses of these three councils, a total of

20 respondents (21.51%) whose councils convene regularly, indicated who may convene the council.

All 20 of these respondents said that the inmates may convene the council. However, only 7 respondents (35.00%) said that the staff and 13 respondents (65.00%) said that the superintendent may convene the council. Table 13 indicates who may convene the council for those councils which meet regularly.

The result that the councils more frequently meet at the request of the inmates than at the request of either the superintendent or the staff suggests that the councils usually exist for the inmates' benefit rather than for the benefit of the staff and inmates jointly or for the prison community as a whole. If the council existed for the welfare of the prison community or for the welfare of the staff and inmates jointly, one would expect to find that all participants can and do convene the council just as frequently.

Eighty-eight respondents (94.62%) reported that the councils meet regularly with the superintendent or his representative. Of these respondents, 40 (45.98%) said that the councils meet once a month with the superintendent; and 17 (19.54%) said that the councils meet once a week or more with the superintendent. Only six respondents (6.90%) all from institutions that house male offenders, said that the councils meet less than once a month with the superintendent. The extent to which and how often councils meet regularly with the superintendent appear in Table 14.

The fact that most councils meet with the superintendent only once a month suggests possible deficiencies in the communication links between the superintendent and the inmate council. These problems may be especially important since most councils were created primarily to bridge the communication gap between the administration and the inmates. Unless other channels of communication are available between the superintendent and the council, problems or issues may go unresolved for long periods of time between meetings. The net effect of these delays may be increased institutional tension which ultimately may result in some form of disturbance. An investigation of the communication networks in those institutions in which councils meet once a week with the superintendent as opposed to those which meet less frequently with him might reveal some interesting differences in the level of accumulated tension, the number of disturbances and general cooperation between the administration and the inmates.

5. Elections

Eighty-three respondents (89.25%) reported that inmates are elected to the council; 9 respondents (9.68%) said that council members are appointed. Elections are conducted in 76 of these institutions (91.57%) by secret, hand-marked ballots. A count of raised hands is taken in five institutions (6.02%); and a voice vote is used in two institutions (2.41%). No respondents reported using voting machines in their elections. Table 15 indicates how inmates are selected for the councils.

Of the 83 councils that elect councilmembers, 56 respondents (67.47%) reported the percentage of inmates who voted in the most recent elections held prior to July 1974. Of those institutions, 37 respondents (44.58%) reported that 75% to 99% of the inmates voted; 10 respondents (12.05%) reported that from 51% to 74% of the inmates voted; and nine respondents (10.84%) reported that from 0% to 50% of the inmates voted. The percentages of inmates who voted in the most recent elections prior to July 1974 are tabulated in Table 16. These results indicate that at least in those institutions reporting the percentages of inmates who voted, there is a great deal of inmate participation and perhaps interest in the councils' elections and operation.

Respondents reported that council members elected to represent various areas of the institution such as housing units, work assignments, inmate organizations, on racial quotas or at large. In 23 institutions, for example, some council members may represent housing units while others may represent work assignments. The most common area of representation is housing units: 64 respondents (68.82%) reported that inmates are selected from housing units. Sixteen respondents (17.20%) said that inmates are elected according to a racial quota; five (5.38%) of the councils elect representatives from work assignments; and two (2.15%) elect representatives according to their custody grade in the institution. In addition, 12 respondents (12.9%) reported that inmates are elected at large to represent the entire institution and three respondents (3.23%) reported that councils elect representatives from inmate organizations. The frequency by which councils elect representatives from each area of representation is presented in Table 17.

A total of 64.52% of the respondents reported the number of inmate members on councils. On the average, 16.53 inmates serve on the councils. Thirty-four councils (56.67%) have 12 or fewer inmates; 26 councils (43.33%)

have between 14 and 90 inmate members on the councils. Table 18 shows the number of inmates who serve on councils in various kinds of institutions.

An average of 1.25 staff members serve on the councils. Twelve councils (12.91%) have one staff member; 4 councils (4.31%) have 2 staff members; 10 (10.75%) have 3 staff members; and 8 (8.62%) have 4 or more staff members. In 59 of the councils (63.44%), staff do not serve as council members. Table 19 indicates the number of staff members who serve on councils.

As indicated in Table 16, only 4 councils (4.30%) have more than 4 staff members on them. Three of these councils are in male institutions and one is in an institution housing offenders of both sexes. Since those councils which report staff participation usually have so few staff members serving on them, it seems likely that staff members act more as advisors than as representatives of staff interests.

This contention is supported by the finding that for 30 (88.24%) of the 34 councils reporting staff participation, staff members are appointed rather than elected to the councils. Appointments are made by the superintendent in 26 (86.67%) cases; by virtue of staff position in the institution in 3 (10.00%) cases; and by the inmate council in only one (3.33%) case. For the 3 councils in which staff members are elected, peers elect the staff members in only 2 (66.67%) cases, and the council itself elects the staff members in one (33.33%) case. A breakdown of the method by which staff are selected for the councils appears in Table 20.

The fact that staff members rarely participate in elections and that staff interests are not represented on the council is further evidence that the councils exist primarily for the inmates' welfare rather than for the entire prison community. With minimal representation and therefore no power to vote on issues of interest to them at council meetings, staff members probably have little vested interest in the councils. Some corroborative evidence to support this notion is presented in the section of the chapter dealing with on-site visits. However, a more detailed study of the staff attitudes toward the councils should be undertaken with a large sample of institutions in order to validate this contention.

Of the 34 respondents who reported staff participation on councils, 33 respondents (97.06%) reported the number of months staff members serve on the council. For 23

councils (67.65%), staff members serve an indefinite period of time; for 4 councils (11.77%), staff serve 12 months; for each of 2 councils (2.94%, each), staff serve 6 months or 3 months respectively; and for two other councils (5.89%) staff serve 4 months or 1 month respectively. The lengths of time staff members serve on councils appear in Table 21.

As indicated by the case studies discussed in Chapter II, the council members' vested interest in the council seems to vary directly with their involvement in the processes and activities of the council. Thus, the fact that more staff members are selected to serve for an indefinite period of time than are selected to serve for a specified time period implies minimal staff involvement in the selection process. However, the extent to which staff involvement in the selection process indicates their interest or participation in the council itself remains an empirical question.

Eighty-seven (93.55%) of the 93 respondents reported the number of months inmates serve on the council. Thirty-three councils (35.47%) elect inmates councilmen for 6 months; 20 (21.56%), elect councilmen for 12 months; and 17 (18.28%), elect councilmen for an indefinite period of time. The lengths of office of inmate councilmen appear in Table 22.

Since most councils elect (inmate) councilmen at six months intervals, inmates may be actively and frequently involved in the election process. Just as for the 4 case studies discussed in Chapter II, inmate involvement in the council processes seems to increase the possibility that they will have a vested interest in the council. Since inmates elect council members, and staff do not, inmates may have more of a vested interest than staff members in the council processes. Sixty-two (66.67%) of the 93 councils reported that council members may be re-elected or reappointed to succeed themselves. This data appears in Table 23.

The most frequently cited criterion for eligibility of inmates for election to the council was the inmates' conduct/discipline record (40 respondents or 43.01%). Other criteria for eligibility included the length of time before release (25 or 26.88%), custody grade (12 or 12.9%), or educational level (2 or 2.15%). In addition, a few respondents mentioned that the inmates must be employed, must be in the institution for a certain period of time, or must not have served on the council during the previous term of office.

For staff members, the most frequently cited criterion for eligibility was staff position (20 or 58.82%). Other criteria included individual abilities and inmate approval. One respondent said that their council "takes anyone available". Table 24 tabulates the criteria for eligibility to serve on the council for both staff and inmates.

Sixty-six respondents (70.97%) reported provisions to remove council members other than the regular election or appointment procedures. These provisions included removal by majority vote of the council members, removal by the superintendent if the council member is "not acting in the council's best interests," and automatic removal for three unexcused absences from council meetings, for violation of established council procedures or for infractions of institutional rules. The frequency with which councils provide provisions to remove council members other than through the regular election procedures appears in Table 25. It must be noted that these provisions for removal may refer to both staff and inmates; no distinctions were made in the questionnaire to determine removal provisions for staff and inmates separately.

6. Council Functions

Eighty-eight respondents (94.62%) said that all members have an equal vote on council matters. Only one respondent (1.08%), from a male institution, said that all council members do not have an equal vote on council matters. Eighty-two respondents (88.17%) reported that someone has the authority to veto council actions or decisions; 7 respondents (7.53%) reported that no one has a veto power. Of the 82 respondents reporting a veto power, 78 (95.12%) said that the superintendent has the veto power; one respondent (1.22%) said the managing officer has veto power; the other three respondents (3.66%) did not specify who has the veto power. The extent to which council members have an equal vote on council matters and who controls the veto power appear in Table 26.

The fact that the superintendent has the veto power in most institutions indicates, as one might expect, that this administrator usually has the final vote on all council matters.

In response to the question of how they perceived the role of the council in the institution, 88 respondents (94.62%) overwhelmingly replied that they saw the council primarily as a communication liaison between the inmates

and the administration.. Eighty-two respondents (88.17%) perceived that the council was only advisory and that its main function was to make recommendations to the administration. Fifty-four respondents (58.06%) saw the council as an inmate grievance committee. Only 20 respondents (21.51%) perceived the council as a decision-making body. Respondents' perceptions of the council's role in the institution appear in Table 27.

An interesting result is that on a percentage basis, fewer councils in institutions that house male offenders are perceived as decision-making bodies than in institutions that house females or both sexes of offenders. This result suggests the possibility that respondents perceive the councils in women's institutions and in institutions that house both sexes as more involved in the decision-making or management of the institution.

Other respondents perceived the role of the council as a means to form sub-committees to deal with institutional problems such as laundry or food service; as a way to deal with discipline problems; or as a way to facilitate transportation of visitors to and from the interior of the institution. Only one respondent reported an unfavorable impression of the council. This respondent felt that the council was "a means whereby the stronger inmates rule the weaker ones".

When asked how they thought council members perceived the role of the council in the institution, respondents reported similar perceptions to their own. Eighty-one respondents (87.1%) said that council members perceived the council as a communication liaison between the administration and the inmates; 75 respondents (80.66%) felt that council members perceived the council as an advisory body; 61 respondents (65.59%) said that council members saw the council as an inmate grievance committee; only 21 respondents (22.58%) said that council members saw the council as a decision-making body. The council members alleged perceptions of the council appear in Table 28.

On a percentage basis, the council members in institutions that house both sexes of offenders reportedly perceive the councils as decision-making bodies more often than the council members in male or female institutions. Four respondents (40%) in institutions that house both sexes of offenders said that council members perceived the council as a decision-making body as compared with one respondent (6.25%) from a women's prison or 16 respondents (23.88%)

from male institutions. These results suggest that perhaps councils in institutions that house offenders of both sexes are at least allegedly perceived by council members as more involved in the decision-making process than councils in all male or all female institutions.

In general, responses to the question of the role of the council in the institution indicate that councils are perceived primarily as advisory rather than as decision-making. Additional support for this contention comes from responses to the question of the areas in which councils make decisions.

Fifty-nine respondents (63.44%) said that the council is advisory only and makes no decisions concerning management of the institution. One respondent specifically replied: "The council makes recommendations to the administration and reviews and comments on the decisions of the administration." The other 34 respondents (36.56%) felt that the councils make decisions in one or more of the following areas: classification; discipline; work assignments; food; recreation; or housing. The areas in which councils reportedly make decisions are presented in Table 29.

One point of interest from Table 29 is that respondents report that councils make decisions in areas not directly involved in management of the institution a little more than twice as frequently as they report decisions made in areas which directly affect institutional management. That is, 27 respondents (29.04%) indicated that the councils make decisions in areas dealing mainly with creature comforts (i.e., food, housing, and recreation), as opposed to only 12 respondents (12.90%) who said that the councils decide matters pertaining to management (i.e., classification, discipline or work assignments). This result suggests that those councils perceived as involved in the decision-making process may be only peripherally involved in the actual management of the institution. Apparently, decisions in areas concerning institutional control are left to prison administrators. Thus, the actual power of inmate councils is attenuated, at least partially, by the areas in which they are allowed to make decisions.

In terms of maintaining communications with the inmate population, 88 respondents (94.62%) said that the councils attempt to learn the problems that other inmates wish them to discuss with the superintendent. With respect to conveying the activities of the council to the inmate population, 59 respondents (63.44%) reported posting notices on bulletin boards; 43 respondents (46.24%) reported

distributing memos to the inmates; 32 respondents (34.41%) reported writing articles in the inmate newspaper; and 20 respondents (21.51%) reported that the council meets regularly with the inmate body as a whole. Responses to the questions of whether or not the councils attempt to learn the problems of the inmates and the ways in which council activities are communicated to the inmates are presented in Table 30.

On a percentage basis, institutions housing women or offenders of both sexes more frequently report meeting regularly with groups of inmates than councils in male institutions: 8 respondents (50%) of the women's institutions and 7 respondents (70%) from institutions housing offenders of both sexes report meeting regularly with groups of inmates to convey the activities of the council as compared with 19 respondents (28.36%) from male institutions.

On the other hand, respondents from male institutions more frequently report that councils post notices on bulletin boards than the respondents in the other institutions: 47 respondents (70.15%) reported posting notices on bulletin boards as opposed to 8 respondents (50%) of respondents in women's institutions and 4 respondents (40%) from the institutions that house offenders of both sexes. These differential results may be a function of the differences in average sizes of the institutions. Councils may experience more difficulty in meeting with groups of inmates in all male institutions than in other institutions because the former tend to be larger than the latter.

A spin-off research question would be to investigate the dynamics characteristic of the informal communications network operating sub-rosa between the council and staff.

Council Actions

Eighty-two respondents (88.17%) said there had been some changes in the institution as a result of council actions or recommendations. The types of changes respondents described fell into two broad categories: creature comforts and management problems. Changes in creature comforts included a larger selection of canteen items, more visiting privileges, new hairstyles, uncensored mail, use of personal clothing, and better laundry services.

Changes in management problems included changes in discipline and count procedures and better staff-inmate

relationships. Sixty-seven respondents (81.71%) cited changes in creature comforts and only 11 respondents (13.42%) cited changes in management problems as a function of council efforts. These results suggest that for the most part, councils have been confined to making improvements in creature comforts. The results thus lend support to the notion that councils' decision-making powers usually are limited to creature comforts and do not generally involve problems of institutional management. The extent to which councils reportedly have made changes and the types of changes made by the councils in institutions appear in Table 31.

Twenty-one respondents (22.58%) reported that the councils had been suspended at one time or another. The reasons cited for the suspensions included "a loss of inmate interest in the council," the "poor health and lack of interest of the superintendent;" "the election of too many unreasonable councilmen;" "a short time emergency situation created by some council members;" "the resignation of the warden and the associate warden;" "staff resistance;" "changes in the administrative policies and a reshuffling of inmates;" and "the drafting of a new constitution and by-laws and the desire to reorganize the council along ethnically balanced lines." In addition, one respondent replied that the "council was serving no useful purpose." Another respondent said that the council was suspended "so that the administration could gain control."

Ten respondents (47.62%) specifically said that there were plans to reinstate the council. Projected changes in the organization or implementation of the new councils included a revised constitution or by-laws, ethnic balance among council members and the selection of "five level-headed, reasonable councilmen." Only two respondents (2.15%) both from male institutions, reported that the councils would be permanently discontinued. The reasons cited by these respondents for the dissolution of the councils were that the council was "an unproductive approach" to dealing with inmate problems, and that there had been a "lack of interest among inmates to maintain the council." The frequency with which the councils have been suspended, the frequency of plans to reinstate the councils and the extent to which councils will be continued appear in Table 32.

Only 13 respondents (13.98%) said that there were any plans to change the structure or functions of the councils. Possible alterations in the councils' structure included creating a more active inmate grievance committee and adding an inmate advocate to work directly with the administration.

Proposed changes in the councils' functions included improving election procedures and increasing the use of the council as an advisory group to the administration. The extent to which respondents reported projected changes in the structure or functions of the councils appears in Table 33.

The proposed changes in the councils' structure and functions enumerated by respondents seem limited. None of the respondents indicated greater staff participation in the council as a major change; none of the respondents mentioned expanding the decision-making powers of the council beyond the advisory role. Nor, did any respondents mention management areas (i.e., classification, discipline, work assignments) or staff problems in the decision-making sphere of the councils. Thus, it appears that the structure of the councils will remain predominately restricted to inmates and that the functions of the councils will be limited to making recommendations to the administration.

Summary of Findings

The mail survey investigated the variables of power and representation in 93 adult American correctional/penal institutions. In terms of the variable of representation, inmates always and staff rarely serve on the councils. When staff members are on the councils, they are usually appointed by the superintendent for an indefinite period of time rather than elected at specified time intervals by their peers. Thus, staff members probably have a limited investment in the councils' election process. Furthermore, since staff generally are not represented on the council and thus, have no voice in the councils' decisions or actions, they also may have a limited interest in the councils' functioning.

On the other hand, since inmates always serve on the councils and are involved in the election process, it seems plausible to conclude that inmates must have a high investment in the councils. However, the inmates' vested interest in the councils may be attenuated by the councils' usual lack of power.

Councils are generally perceived as advisory bodies, designed to make recommendations to the administration and to serve as a communication link between the administration and the inmates. Moreover, councils usually may make decisions only on matters dealing with creature comforts; even then, their "decisions" are subject to the final approval

of the superintendent. Since councils do not decide matters of discipline, classification or work assignments, they are not actually involved in the management of the institution.

Thus, the limitations of representation and power on most inmate councils indicate that they generally tend to be token or quasi-governmental models as defined in Chapter II.

In addition, the current findings suggest some further areas of research that should be undertaken in order to determine more specifically the attitudes of administrators, staff and inmates toward inmate councils and the precise nature of the councils' decision-making processes and internal workings.

CHAPTER IV

CURRENT CORRECTIONAL PRACTICE:

ON-SITE VISITS

We trained hard...but it seemed that everytime we were beginning to form up into teams we would be reorganized...I was to learn later in life that we tend to meet any new situation by reorganizing; and a wonderful method it can be for creating the illusion of progress while producing confusion, inefficiency, and demoralization.

--Petronious Arbiter,
210 B.C.

There were several reasons for the on-site visits. First, visiting the institutions enabled the investigators to get an impression of the environment in which the councils function and provided a chance to see the operation of the councils firsthand. Thus, the investigators toured each institution visited and, whenever possible, sat in on council meetings. Council meetings were attended at Frontera, Walla Walla and Framingham. The investigators also met with the council as a whole at Norfolk.

Secondly, on-site visits enabled the investigators to obtain perceptions of the councils from administrators, staff and inmates who are not councilmen. On-site visits were made to a cross-section of different types of institutions located in various parts of the country. Six institutions were visited in all.

Norfolk (Massachusetts) was visited because it has the oldest inmate council in this country. Framingham (Massachusetts) and Vienna (Illinois) were visited as they are both co-ed institutions, but the former is in the process of creating an inmate council and the latter has had

an inmate council and retains vestiges of that council in a committee system. Niantic (Connecticut) women's facility was included since the Kohlberg justice model presents an interesting contrast and a differential approach to inmate government. In addition, data dealing with inmate councils from two other institutions which the researchers collected during on-site visits in a previous project, has also been incorporated into the report. Walla Walla (Washington) was included because it has the most popularized inmate council currently in existence. Frontera (California) was included because it is the largest women's institution in this country and also has an inmate council.

Procedure

At least a week prior to the visit, a phone call was made to the institution to establish contact and to clear the investigators for admittance to the institution. A team of two investigators visited each of the six institutions. Upon arrival at the institution, they briefly explained the nature of the project to their contact, (usually an administrator), toured the facility and discussed the council with available staff and inmates who wished to participate. Except where noted, one person was interviewed at a time.

During the early part of the summer, 1974, a questionnaire was devised that outlined the topics to be discussed in the interviews. In order to determine the extent to which the questionnaire would be useful in the interviews, two investigators visited the Security Hospital in St. Peter, Minnesota. Interviews were conducted with the Superintendent, staff members and inmates about the council. Based upon this pre-test, the questionnaire was revised. For each of the on-site visits conducted during the summer, 1974, the questionnaire was tailored to fit the contingencies of the interview. For example, in some institutions, the staff are not a part of the council. Thus, those questions pertaining to the staff as council participants were omitted from the interview. (A copy of the interview questionnaire appears in the Appendix.) Whenever possible, the investigators obtained minutes of council meetings and/or inmate publications which discussed council activities.

A copy of the on-site visit report was mailed to the contact person or Superintendent at each institution visited. In this manner, the investigators sought to validate

the accuracy of their accounts of the organization and operation of the councils and to enable administrators to provide additional information of importance concerning their councils. Four of the five institutions visited returned the reports with their comments which have been incorporated into this final report.

The investigators received excellent cooperation from prison administrators, councilmen and interviewees. However, there were some problems with the on-site visits. At two of the institutions there had been some tension just prior to the visit. Thus, in these institutions it was not possible to interview inmates who were not part of the council. Secondly, minutes of previous council meetings were available from only one council.

Norfolk, Massachusetts

The Massachusetts Correctional Institution at Norfolk is a medium security facility with an average daily count of 675 inmates.¹ The average length of stay, excluding lifers, is about six years. The inmate council was first created in 1927 by Howard Gill (see section on Gill for further details).

The council has a newly-revised 31-page constitution adopted in 1971. The importance of the constitution to the council is evidenced by an official signing of the document which was witnessed by the Lieutenant-Governor and some Massachusetts legislators. As stated in the preamble to the constitution, the purpose of the council at Norfolk is "to promote harmony, protect and provide for the self-determination and general welfare of all." To this end, the council deals with inmate grievances and complaints against staff, endeavors to identify institutional problems and to promote communication between the staff and inmates.

Council Structure

The council is composed of two co-chairmen (one white and one black), a committee coordinator, two Spanish-speaking representatives, and one representative and one alternate representative elected from each of the 16 housing

¹By January 1975, the population had decreased to about 600 due to a loss of two dormitories by fire.

units. Inmates in the Reception Center are not represented on the council because the Center is an administratively separate institution.

Staff members are not formally members of the council. However, two high level staff members, the Administrative Assistant to the Superintendent and the Chief Psychologist, act as advisors to the council. Staff members may request an invitation to a council meeting to present input relevant to a specific issue brought before the council. Staff advisors may be appointed by the council at any time. As of January 1975, three such advisors had been selected.

The executive committee consists of the two co-chairmen, the committee coordinator, the secretary and the one Spanish-speaking representative, and one representative elected at large. Both the council and the executive committee meet weekly. The constitution provides for the formation of committees.

As in Gill's day, the committees deal with individual complaints and with every aspect of the institution's operation, including education, recreation, medical care, legal advice, visitation, career development, discipline, store and finance, Spanish and Black rights, lifers, social services, penal information, orientation for newly admitted inmates, and pre-release information. Committee chairmen are elected by each committee. Committees are directly responsible to the Committees Coordinator and to the general council.

Elections

The two co-chairmen, Spanish-speaking representative, secretary, and representative at large are elected by majority vote of the entire resident population and the Spanish-speaking segment of the population, respectively. Unit representatives and their alternates are elected by a majority vote of the inmates from their respective housing units. Voting is done by secret ballot.

To be eligible for office, candidates must have served at least nine months at MCIN and must still have one year to serve before possible release. Each candidate for co-chairman must, in addition, submit a petition with the signature of 100 inmates.

Inmate grievances may be dealt with in one of several ways. An inmate may take the matter to his unit representative who will put it on the council agenda. If the com-

plaint requires administrative action, the co-chairmen present the issue to staff members during the last half of the regular staff meeting each week. An inmate may also bring a problem to an individual committee. If the committee is unable to solve the problem, the committee chairman brings the issue before the entire council. The executive committee may then forward this information through the two co-chairmen to the weekly staff meetings.

The role of the co-chairmen is central to the council. At the weekly council meeting, issues are discussed and "bills" are drawn up which the co-chairmen submit to the superintendent. In turn, the superintendent presents these matters to the staff at weekly staff meetings. The co-chairmen attend the last half of each staff meeting to discuss issues of interest to the inmates. Final decision-making authority rests with the superintendent. In addition, the co-chairmen are authorized to have access to the entire institution. The superintendent may meet with the co-chairmen as requested, perhaps several times a week. While other councilmen may serve on only two committees, the co-chairmen may serve on any task force in the institution. Thus, the co-chairmen have a great deal of responsibility and leverage in council affairs.

Council Minutes

An analysis of the minutes from the past year's council meetings suggests that the council has been mainly concerned with an improvement of the inmates' creature comforts. Recurring topics of interest include unit telephones, TV antennas, food, institutional pay, furloughs, store hours, mail, athletic equipment, and visiting. The minutes reflect issues raised, but the printed version which the inmates see does not indicate what action (if any) which might have been taken.

The fact that many of the recurring issues discussed by the council involve creature comforts suggests that these problems take a great deal of time to resolve at Norfolk. In fact, three of the five councilmen interviewed said that it usually takes more than 28 days to implement council recommendations. In addition, the minutes suggest that the council usually deals with problems which affect the majority of the inmate population. Finally, the fact that many of the same issues are brought up at several successive council meetings suggests that the power of the council to change prison conditions may be very limited.

Inmate Reactions

The five inmates interviewed (all council members), perceive the role of the staff as advisory to the council. However, they felt that the role of the staff should be expanded because of the interdependence of the staff and inmates in the prison situation. As one respondent put it, "We're all in this boat together." Some of the inmates felt that the council might be strengthened if both the staff and administration participated regularly in the council meetings.

Most of the respondents perceived the council as a communication link with the administration and as an advisory body, because the council only makes recommendations to the administration; final decisions rest with the administration.

Most of the inmates interviewed felt that the council recommendations affect the inmate population a great deal mainly because it provides a forum for discussion of any problems which arise.

Reactions of the inmates about the council's influence over the staff were mixed. One inmate felt that the council cannot really affect staff behavior. Others felt that staff behavior had actually changed as a result of council recommendations. For example, one respondent said that the staff had requested a shakedown of the units. Inmates said that as a result of a council decision, a councilman must be present during the shakedown. The officers abided by this agreement.

One respondent suggested that the superintendent relies heavily on department heads and the council's co-chairmen in making decisions and that he has an elaborate procedure for problem-solving. The superintendent reportedly builds power and confidence in the council by refusing to meet with the entire population as a whole so as not to bypass the council and undermine its power.

Most of the inmates interviewed felt that the council's recommendations affect the administration. The administration wishes to maintain order within the institution and looks to the council as a way of doing so. In addition, inmates generally felt that by providing a communication link and an arena for negotiations between administration and inmates, the council generally acts to reduce institutional tensions.

On the other hand, the effectiveness of the council to alleviate tensions during the institutional crises may be limited. For the first time in the prison's history, a strike occurred in the kitchen and hospital in July 1974. After a black inmate died in the hospital from a brain tumor, the other inmates staged a sitdown demonstration. Rumors of inadequate medical care spread rapidly throughout the institution. The councilmen were convinced that everything possible had been done for the dead inmate. The medical director, who had established general credibility with the inmates (because of his success in correcting the Charles Street Jail medical problems after decades of horrible conditions), had no specific credibility in this instance. The council met with the inmate population, but, as one inmate put it, "The inmates didn't want to hear explanations," but apparently wanted to believe the worst.

Limited knowledge and understanding of the facts and a lack of belief in explanations of the death, set the stage for the disturbance. Approximately ten old-line guards allegedly persuaded some inmates to undercut the superintendent, (whom inmates perceived as a reformer), and the council (which is reportedly perceived by some line staff as a challenge to staff power).

Eventually 19 pages of grievances, which were broadened to include medical care, food and visiting, were submitted to the superintendent. The superintendent made some concessions, but the general population would not go along with them and continued the strike. Therefore, the superintendent withdrew his concessions and returned to confrontation tactics to quell the disturbance. The State Police were summoned; 26 leaders of the disturbance were transferred out of the institution without incident. The superintendent had attempted, in vain, to allow the inmates to save face. Thus, in this instance, the council had been ineffective in alleviating institutional tension.

Inmates listed increased furloughs, changes in curfew, the creation of a new switchboard and the construction of a new visiting unit as changes brought about by the council. Despite the fact that the inmates perceived the council as an advisory rather than as a decision-making body, their perceptions of the council were mainly positive. As one inmate said:

An effective council meets just about any needs of inmates and meets the administration. The community comes in to get understanding and to give support. Without the council, the institution could not run as smoothly as it does.

Another inmate commented:

It takes good, strong, articulate leadership capable of understanding inmates, because there has been one for a couple of years. One must be able to speak the language of the other inmates to get the point across.

On the other hand, another inmate interviewed suggested that the limitations on the decision-making power of the council should be removed to enable the council to better serve the inmate population:

The inmate council should be consulted more. They should have more authority to help their constituents.

Four of the five inmates interviewed felt that the council could be improved in some way. One interviewee thought that the meetings might be run in a more organized manner. Another inmate felt that the council should be able to meet with legislators on matters which are important to the inmate population. Two other inmates expressed the desire to have the staff and administration participate more in the council. These interviewees felt that the staff and administration might gain more understanding of the council by attending council meetings more often. In addition, one of the interviewees thought that the staff members should bring their complaints to the council for resolution. In this way, the council would be serving both staff and inmates.

Staff Reactions

Four staff members were interviewed. Interviewees generally agreed that the council was created to promote communications among staff, administration and inmates. One interviewee also said that from the administration's perspective, the current council was created "to be consistent with the futuristic, creative, unique notions of Gill."²

None of the staff interviewed perceived the council as a decision-making body. Rather, they saw the council as a communication liaison between the administration and the inmates and as an advisory body to make recommendations

²Statement of Susan Richmond, Massachusetts Correctional Institution, Norfolk, January 7, 1975.

to the administration. Staff interviewees agreed that the council makes recommendations in all areas, including classification, discipline, work assignments, food, recreation, and housing. An analysis of the minutes over the previous year revealed no attention paid to the first three areas of concern listed above. However, an administrator reported that these areas had been discussed at various times.

Staff interviewees also felt that the length of time between the council's making a recommendation and its implementation, depends upon the type of recommendation made. For example, fiscal matters, such as the unit phones, and decisions which involve changes in the role or responsibilities of staff would require the longest time to implement.

All staff interviewees thought that the council influences inmates' lives positively. For instance, because of the council's activities, mail censorship was abolished. Moreover, staff interviewees pointed out that the council runs its own canteen and with its own resources, bought a telephone switchboard for use by the inmate population. Staff members also stated that the council also affects the inmate population through its relationship with various social and athletic groups in the institution.

Staff interviewees did not feel that the council influences staff members. One interviewee made the point that while the council may sensitize staff members to inmate problems, it influences staff behaviors very little. Another interviewee felt that the council's greatest impact was on the administration.

Staff interviewees generally agreed that the council had improved the relations between both the staff and the inmates, and between the administration and the inmates. However, there was no consistent agreement on the extent to which there had been an improvement in these relations. With respect to the relationships between staff and inmates, this lack of consistent agreement may be because staff members are not directly involved with the council.

Three of the four staff members interviewed responded that despite the existence of the council, the level of tension in the institution fluctuates. During times of crisis, these respondents saw the role of the council as that of a mediator between the inmates and the administration. For example, one staff interviewee mentioned that at one point, 19 pages of grievances were drawn up. In re-

sponse to these grievances, the council assigned one of its members to each area of concern.

Two of the staff members want the staff to play a greater role in the council than they presently do. One interviewee believed that the staff and inmates should meet jointly in order to "talk more about meaningful participation." The other staff member thought it would be important for staff "to work more closely with the council, to read the constitution, and to find out more about the council."

Three of the four staff members interviewed felt that the role of the administration, which was perceived as advisory to the council, should remain the same. The staff member who suggested that the administration should play a greater role in the council thought that the superintendent should be more involved in meetings with the council as a whole and that the administration should be more responsive to council recommendations.

Three of the staff members thought the council could be improved. One interviewee felt that individual responsibilities might be increased. Another staff member believed that the entire institution should be run by joint committees of staff and inmates. However, in order to implement this joint committee system, he believed that both staff and inmates would have to undergo a great deal of training. On the other hand, he perceived the long-range consequences of such a re-organization as beneficial to all concerned: "... this long-range process would be worthwhile because it would be a better chance for a rehabilitative experience."

Another staff member expressed the need for a change in the entire system which would allow for "more decision-making roles of residents through corrections, on new correctional programs, changes in the old correctional programs, all institutional rules and regulations, and procedures." This interviewee further suggested that the effectiveness of the council as a change agent in the institution will occur only with a change in the structure of the correctional system:

The hope of corrections coming out of the nineteenth century rests on a strong, viable council, which can only occur if there is an entire correctional system amenable to a strong council.

Summary

As suggested by both the minutes of council meetings and by the responses of staff and inmates, the inmate council at Norfolk is advisory only. Recommendations are made to the administration which makes final decisions. Staff and inmates generally agreed that the primary function of the council is to promote communication between the inmates and the administration. However, the effectiveness of the council to serve in this capacity may be attenuated in times of crisis, as evidenced by the inability of the council to resolve inmate grievances against the administration in the disturbance which occurred in the summer of 1974.

The role of the staff in the council is recognized by both staff and inmates as minimal. Moreover, the council is seen as only minimally influencing staff members. Staff members are not represented on the council, do not vote in council elections, and are not permitted to attend council meetings regularly. (At the same time, inmate council co-chairmen may attend, but may not vote at, portions of staff meetings). The Norfolk council is classified as a Quasi-Governmental model of participatory management. Some of the respondents recognized this exclusion of staff members from the council as one of the weaknesses of the current council structure. These interviewees suggested that perhaps the council should be expanded to include staff representatives and to handle staff grievances and concerns.

Framingham, Massachusetts

The Massachusetts Correctional Institution at Framingham, (MCIF) is a minimum security facility which has been referred to by some as a pre-release center since only about 30 - 40% of the inmates are "permanent residents." The remainder of the population is out on work release.

Until March 1973, the facility had been exclusively for women. However at that time, men from Norfolk and Walpole were transferred to the institution. At the time of the visit, there were 56 men and 79 women at Framingham.

Prior to the formation of the current council, there was a Task Force created in the early part of 1973, which was composed of 9 men, nine women and four or five staff members. The Task Force was set up as a temporary body to recommend rules and regulations for the conduct of the

men in the institution. As one staff member commented, the Task Force had been established as a "cooperative team."

However, in June 1973, the Task Force was disbanded by the superintendent. The dissolution came about because of an incident in the hospital investigated by the Task Force which led to the dismissal of an officer. Thereafter, the Task Force was terminated. A staff member who was not familiar with the reasons for the termination of the Task Force noted:

At first the Task Force was very constructive in dealing with rules and problems. It was set up only for a short period of time until the men and women got together. But it turned into a general gripe session and made nothing but demands. It didn't say, What can we do to solve problems?

In response to the question of why the Task Force was abolished, this staff member speculated that "they (inmates) were getting too close to things the administration did not want to change." Another staff member pointed out that the Task Force was terminated because "it got away from its original functions; it became more a legal or grievance committee."

After the dissolution of the Task Force, there was minimal interest on the inmates' part to create another council. The men apparently feared that they might be returned to the sending institution for discipline if incidents similar to that which happened with the Task Force recurred. Moreover, the inmates were unsure of the way in which to establish another council.

However, because of the evolution of a "pet system" (i.e., discriminatory application of the rules to some inmates but not to others), both staff and inmates perceived the need to create a situation in which all inmates would be dealt with fairly. Thus, a general meeting of staff and inmates was called. Staff heavily supported the formation of a council to "work out problems," as one inmate interviewee put it. The council chairman at the time of the visit, who previously had been the council chairman at Norfolk, was instrumental in establishing the current council.

At the time of the visit, the council had not yet been recognized officially by the administration. One reason for this lack of recognition cited by an administrative official was that "the superintendent had

submitted her resignation effective July 31st and therefore felt that she could not officially recognize a body which would be working with her successor."³ However, in October of 1974, the council was officially recognized by the acting superintendent.

Council Structure

The first council elections were held in July 1974. For the first election, the By-Laws of the Norfolk Council were used. Each cottage nominated four candidates and three were elected by a secret written ballot. In order to be eligible for candidacy, inmates must have been at the institution for at least thirty days, and must have at least three months remaining to serve at the institution.

The council consists of one representative from each cottage. The President, Vice-President, and Secretary are elected by the main council by a simple majority vote. At the time of the visit, there were six men and eight women serving on the council. Subsequently, the council's composition increased to 7 inmates and 7 staff.

During the summer of 1974, the role that the staff would play in the council was undetermined. A discussion of possible staff rules in the council is presented in the section on "Council Proceedings."

Council Functions and Responsibilities

A brief five-page constitution restricts the authority of the council to only removing cottage representatives from office who have missed three consecutive council meetings. However, interviewees speculated that the council will deal with such issues as mail censorship, visitation, recreation, food, housing, the discrimination in rules between men and women and perhaps, discipline.

The council will meet weekly to conduct business. Inmates who have complaints against staff, or the administration will bring their grievances to the cottage representative, who will present the matter to the council. Individual grievances against other inmates will not be dealt with by the council. All councilmen will have one vote;

³Statement by Shelley R. Isaacson, Massachusetts Correctional Institution, Framingham, January 20, 1975.

the Superintendent will have a veto power over council decisions.

Subsequent to the visit, MCI Framingham officials informed the investigators of the council's current functions and activities.

To date (January 20, 1975) the council has concerned itself with the revision of institutional policy. Proposals drawn up by the council are referred to the superintendent who then meets with department heads to discuss their content. To date the council has initiated changes in the visiting policy, food service, and cottage regulations. In addition to policy-related issues, the council has assumed responsibility for coordinating some in-house programming with special attention to recreation and special events. Future issues include inmate funds, disciplinary procedures, and general institutional regulations.⁴

Council Proceedings

During the visit, the investigators were invited to attend a council meeting. That experience provided an opportunity to observe the kinds of problems confronting a newly created council. Most of the discussion focused on problems dealing with the formation of the council. One primary topic of concern was the role that staff should play in the council.

Council members generally agreed that the staff should be a part of the council to aid communications between staff and inmates. Initially, council members had agreed that there should be three staff members on the council, each of whom should have one vote. The staff members would be selected by the councilmen themselves on the basis of their interest in, and commitment to, the council.

One council member suggested that perhaps staff members should be selected from various departments of the institute to expedite handling of specific issues related to that department. On the other hand, another council member pointed out that if all the departments were represented on the council, the staff members might have more

⁴Isaacson, Ibid.

voting power than the inmate council members. Another member suggested that perhaps staff members should not have voting power on the council. During the meeting, no decision was reached concerning the status of the staff members on the council.⁵

Another topic of discussion was the inclusion of a "third force" of people from the central office and the community. This group of people from the central office and community could arbitrate disputes between the administration and the inmates. One council member made the point that the inclusion of this group in the council raises the question of whether or not they should have voting privileges. The issue of whether or not to include a "third force" was not resolved at that meeting.

Other topics discussed included the purchase of clothing, the finance committee, creating a committee to draft a constitution, and possibly redecorating the old dining room to become a coffee shop for visitors.

Inmate Reactions

Four of the inmate council members (both men and women) were interviewed as a group. As opposed to the Task Force, inmates perceived the inmate council to be a permanent organization at the institution. However, at the time of the visit, the council had not yet been officially recognized by the institutional administration.

All of the inmates interviewed believed that the council had been created to improve communications with the staff and administration and to deal with inmate grievances against the institution. Moreover, they all had wanted to participate on the council to improve conditions at the institution.

In addition to serving as an inmate communication liaison both with the staff and administration, the interviewees perceived the council as an advisory body which would make recommendations to the administration. They

⁵Since the visit, it was reported that staff members will represent "significant departments within the institution and become council members primarily through their own interest on a volunteer basis." Isaacson, loc. cit.

all felt that the role of the administration should be non-participatory. That is, administrators would be invited to attend council meetings, but would not actually be a part of the council.

Shelley R. Isaacson, Director of Community Services, made the following comments concerning the council's progress in the six months after August 1, 1974:

The Council has become an increasingly sophisticated and able negotiating body in a relatively short period of time. Both staff and inmate participants feel that the Council is a legitimate part of the policy-making process of MCI Framingham and is recognized as such by the administration and a goodly number of staff and inmates.⁶

Summary

Because the council was only in its formative stages at the time of the visit, little information on the functioning of the council could be obtained. The topics discussed during the council meeting suggest that, as most newly created councils, the main concerns of the council at Framingham (in addition to the problems of the formation of the council) were creature comforts.

Although the role of the staff in the council had not yet been resolved, the council leaned towards limiting staff participation on the council; perhaps to an advisory role. The absence of staff representation on the council (i.e., the absence of the staff electing their own representatives) suggests that the council, once fully operational, may not represent staff and inmates jointly, but may reflect mainly inmates' concerns. At the present time, it is classified as a Quasi-Governmental model of participatory management.

Niantic, Connecticut

The Connecticut Correctional Institution at Niantic houses all convicted female offenders in Connecticut. The minimum security facility is divided into small "cottages," each housing between twenty and thirty women. The six cottages include the Model Cottage Unit; the behavior modification unit; an honor cottage; a drug unit; an orientation cottage (for work release); and a disciplinary cottage.

⁶Loc. cit.

The programs for each of the cottages differ. At the time of the visit there were approximately 117 women in the facility.

In 1971, there was a minor disturbance at the institution. Prior to that time, the institution had been on a "graded cottage" system, whereby the women moved from one cottage to another as they "progressed" through the system towards release. Inmates complained about differential rules and differential enforcement of the rules. This "discriminatory" treatment led to a small rebellion and the presentation of grievances to Superintendent Janet York. Clearly, the institution needed some changes. Dr. Lawrence Kohlberg's Justice Model, which had been implemented at Cheshire Reformatory, Connecticut in 1973, was selected for implementation.

The Justice Model

A basic assumption underlying the Justice Model is that there are universal principles of morality⁷ which are found to hold throughout all humanity. These principles develop irrespective of culture; they are not directly teachable but emanate from within us. Despite the assumption that these principles are universal human characteristics, they must be cultivated in an environment of mutual trust and understanding. Thus, there is a sense of fairness in a sub-culture of offenders, but it must be developed in the proper environment.

Kohlberg's model proposes six stages which are categorized into three levels of moral development through which an individual may pass in his lifetime. The first stage or "pre-conventional" level of moral development involves an objective obedience to external forces of authority. Moral value in these stages rests in actions or needs rather than in other people or standards.

The "conventional" level of moral development involves an orientation towards conforming unquestioningly to expected role behaviors and to demonstrating a respect for authority. Moral values exist in upholding society's rules, standards, and values.

⁷In the model, "morality" is equated with "justice" (or a "sense of justice") or "fairness."

The "post-conventional" level of moral development involves recognition of intrinsic values of life as a general concept. At this level, a person maintains mutual respect and trust for others and is directed to act by his conscience, rather than by external rules or values.

According to Kohlberg, the problem of corrections is a problem of values and rehabilitation involves changing an offender's values. Kohlberg's goals are two-fold. First, he hopes to instill in the offender an awareness of his current values. Secondly, through training sessions and positive role models, he hopes to increase the offender's level of moral development. Advancement in moral development entails moving away from a total concern with one's own needs and desires and towards a concern for what is fair to all members of the community.

Because of the importance of the community concept to the model, the primary treatment techniques include the development of a community esprit de corps among the offenders, involving the offenders in group problem-solving situations, and the influence exerted upon each member of the group by his peers.

In this model, the staff members play an important role as facilitators of change. Theoretically, they provide role models for the offenders to follow in moral development. Secondly, as facilitators, they may guide and direct the offender's thinking and create in him a sense of awareness of his own behavior in relation to acceptable moral values. What are "acceptable moral values" to the rest "just community," the institution, and the larger society may "not necessarily (be) the most moral."⁸

The actual implementation of the model entails the cooperative involvement of staff and inmates in the group process. Thus, the model suggests not only a therapeutic approach to the institutional treatment of offenders, but also a possible means of breaking down traditional staff-inmate hostilities which are generally characteristic of prisons. The administration of the Women's Reformatory at Niantic favored this approach.

⁸ Statement of Dr. Joseph Hickey.

Implementation of the Justice Model

Dr. Lawrence Kohlberg of Harvard University was contacted by Connecticut corrections officials and a team of consultants trained in the theory of moral development was sent to Niantic to set up the program. The process for establishing the program lasted from about May through October, 1971. In the preliminary stages, interested staff met once a week to discuss the program. Training sessions focused upon the moral development theory, group dynamics, and techniques of group discussions. In addition, Kohlberg, et al. (1971)⁹ suggested that the training sessions enabled the Harvard team to identify areas of tension confronting the line staff in their daily functions. Among these tensions was the traditional conflict in roles of staff, between custody (i.e., enforcing many minor rules) and treatment (i.e., "helping" the offenders).

Next, small training groups of ten inmates each were conducted for about a month. These sessions gave the staff a chance to become involved in moral discussion groups with inmates and enabled the inmates to express their interests in, and concerns about, the proposed "Model Cottage" program. In addition, the training sessions provided a milieu for the exploration and resolution of staff-inmate conflicts.

Inmates, staff and administrators from the entire institution were then invited to attend a meeting to devise rules, procedures, and policies for the new program. Inmates submitted rules which eventually were crystallized into a constitution for the cottage.

Six line staff volunteered to be transferred to the new cottage program. Inmates who had attended the meetings, had six months remaining to serve and wanted to participate in the program were chosen. The "Model Cottage Unit" was designed to house 22 women. At the time of the visit (July, 1974) 17 women (5 white and 12 black) lived in the cottage; approximately 100 women had completed the program.

⁹Kohlberg, L., Scharf, P. and Hickey, J., "The Justice Structure of the Prison - A Theory and an Intervention", The Prison Journal, Vol. LI, No. 2, Philadelphia, Pa., Autum - Winter, 1971, pp. 3-14.

The "Model Cottage Unit"

Women are selected for the Model Cottage Unit in the following manner. The institutional staffing team initially screens women for the program. The candidate must have at least six months left to serve, and must want to "better" herself, must be willing to accept the responsibilities of the cottage and must volunteer for the program. She is referred to the cottage and lives there during a thirty-day orientation period. During that time, the other women of the cottage decide whether or not the candidate is sincere in her desire to help herself and if she would fit into the program. At the end of the orientation period, she may be accepted or rejected from the program. If she is rejected, she may reapply after ten weeks.

As stated by staff members in the cottage, the objectives of the Model Cottage Unit are: (1) to deal with conflict; (2) to teach the women responsibility; and (3) to move the women upward in the stages of moral development. The Model Cottage Unit includes four specific types of groups: (1) the Community Meeting; (2) the Small Group; (3) the Discipline Board; and (4) the Marathon Group.

The Community Meeting, which is the governing body of the unit, deals with conflicts among inmates, between inmates and staff or between staff and staff, rule infractions, and problems with the administration. Meetings are held at least once a week, but may be called by a resident or staff member at any time a problem arises. Meetings last as long as discussion on the problem continues. The average length of the meetings at Niantic has been from one to one and a half hours. The women decided to make attendance at Community Meetings mandatory.

The Community Meeting may discipline a woman either by formally referring her to the Discipline Board or by assigning her a "contract" on her behavior. A "contract" either requires or forbids the woman to engage in certain behaviors for a specified time period.

Topics of discussion have reportedly included drugs, homosexuality, staff-inmate relationships, discipline matters, and negotiations with the administration.¹⁰ Small

¹⁰From Kohlberg, L., Kauffman, K., Scharf, P., and Hickey, J., The Just Community Approach to Corrections: A Manual, Part I, Moral Education Research Foundation, Harvard, 1974.

Groups (based upon peer influence to modify behavior), meet at least twice a week to discuss more intimate problems, such as personal "hang-ups," problems at home, or planning for a woman's future. The purpose of the group is to enable the women to become aware of their problems, their effects on others, and to help them to solve their problems in a socially acceptable way.

The Discipline Board consists of two staff members and two inmates, who serve on a rotational basis. Infractions of the cottage rules are brought before the board for action. Theoretically, discipline in the Model Cottage Unit is not punishment, but is a learning experience to make the women more aware that violation of the rules means a violation of the rights of the other members of the cottage. Once action is taken, the woman may appeal the decision to the group. The group may set aside the decision or refer it back to the Discipline Board for further consideration.¹¹

The Marathon Group meets once every ten weeks to review the constitution and to revise the rules and regulations of the cottage. The length of the session varies, but as the name implies, the group usually lasts for an entire day.

Because of the importance of the four types of groups to the operation and functions of the Model Cottage, attendance at all group meetings is mandatory. Thus, if a woman is involved in an activity in another part of the institution and a group is called, she is required to leave her work and go to the meeting. This situation, while perhaps therapeutically beneficial, may create some institutional management problems.¹² For example, if the woman is working

¹¹Only infractions of cottage rules are dealt with by the Discipline Board. Discipline dealing with possession of weapons or contraband, being outside the cottage, escapes or runaways are handled by an institutional discipline committee.

¹²This conflict between the goals of treatment and institutional needs is not unique to the Justice Model but is characteristic of all correctional institutions. According to Dr. Joseph Hickey of the Connecticut Department of Correction, "(T)he model unit was destined to create a 'tilt' condition among these areas with its emphasis on therapeutic institutional living. The problem has always been among administration of the different areas." (Statement of Dr. Hickey, January 17, 1975.)

in the kitchen and a group is called near meal time, she must leave her post to attend. Two possibilities then can occur: either her work goes unfinished until she returns (and she cannot return until after the meal is over), or another inmate continues her work. If the latter possibility occurs, the inmate who has taken over the woman's work may perceive this treatment as unfair and discriminatory in favor of the women in the Model Cottage. If several inmates perceive this differential treatment, an increase in institutional tension may result.

An integral part of the Model Cottage Program, which may also be a source of hostility in the institution, is a rule to maintain confidentiality of all house business. The residents and staff of the Model Cottage are forbidden to discuss house business with anyone outside the cottage. Thus, staff and inmates from other units in the institution who do not understand the proceedings of the Model Cottage Unit, may resent the secrecy surrounding this "special" cottage. This dissent which resulted in discussion among staff and ambiguity among inmates suggested establishing self-government in other cottages.

Staff and Inmate Reactions

During the visit, the investigators interviewed the 17 residents of the Model Cottage Unit as a group and some of the staff and inmates from the behavior modification cottage.

Most of the women in the Model Cottage Unit saw the group as a supportive way to deal with their own personal problems. They believed that in this setting they would have a better chance to grow and to understand themselves than they would in other cottages which use different treatment techniques such as behavior modification. They perceived the latter program as merely a way of responding to the reinforcements provided at that moment and not as a way of learning to deal with one's real problems.

With respect to changing the program, a few women of the group felt that the administration should get more involved in the Model Cottage program, to try to understand the women "for what they are" and not just on the basis of their past behavior.

Both staff and inmates interviewed in the behavior modification cottage preferred their program to the Model Cottage Unit. One reason cited for the preference was that

they would feel uncomfortable in a setting in which confrontation was a key treatment tool. Moreover, they preferred dealing with groups geared to solving problems of the house, such as house rules, rather than groups which concentrate on "changing a woman's ego." One respondent commented: "The women here can't handle the concept program." In addition, these women said they preferred having staff rather than other inmates decide on furloughs and discipline.¹³

One of the problems mentioned concerning the Model Cottage Unit was the perceived secrecy which pervades the program. Because of the rule of confidentiality, some of the women in the behavior modification cottage expressed concern over rumors which spread occasionally throughout the institution about events which allegedly occur in the Model Cottage. For example, one inmate mentioned that there had been a rumor of contraband in the Model Cottage.

Behavior modification staff members stated that they did not favor the inequity between discipline procedures for the women in the Model Cottage Unit and for those in other cottages. As one respondent put it: "A woman can cop to it (i.e., breaking the rules) in a group and get away with it rather than being locked in isolation for her behavior."¹⁴

The staff of the Model Cottage program regard the program as a way in which women may learn to develop responsible behavior patterns prior to release. They perceive themselves as "friends" to the inmates rather than as adversaries, as the traditional staff-inmate relationship would dictate.

The staff of the Model Cottage Unit perceive democracy as a situation which allows every person to have a vote in what goes on in the community. They perceive the justice model as embracing the concept that what is decided is fair to all parties concerned.

¹³"Since your visit, this unit has opted for (the) self government model and use(s) (the) same guidelines for discipline (and) furloughs as (the) model unit (does)." (Ibid.)

¹⁴"This (disparity in discipline) seems to be the one major criticism of the program. The model unit women have often said that being dealt a discipline (action) via peers is more painful than confinement." (Op. cit.)

Staff and inmates alike felt that initial staff resistance to the Model Cottage Unit came from staff members who preferred more traditional modes of institutional treatment and did not like the confidentiality or the apparent privileges afforded to the women of the Model Cottage Unit.

Summary

The Justice Model operationalized at the Niantic women's prison provides the women with a chance to participate actively in a group problem-solving process. Through group discussions the women may present their views and may become more aware of their own needs, desires and values, and become more sensitive to those of their peers. Moreover, the women may learn to cope with their problems in a socially acceptable manner in a supportive, positive environment.

However, the operationalization of the Justice Model differs from the model of self-government proposed in this report. The main focus of the Justice Model is on developing methods of solving personal problems using the group process rather than on solving managerial problems of the prison community.

Staff members and inmates from all other areas of the institution may volunteer for the cottage. Both the staff and inmates each have a single vote in group meetings. However, it is not a representative democracy, as neither the staff nor the inmates elect peers to represent them on the council.

In terms of decision-making, the powers of the Model Cottage Unit are limited. Certain discipline matters must be handled by an institutional discipline committee. Moreover, the institutional staffing team may override decisions of the Model Cottage Unit to send women to the half-way house in New Haven.

In terms of classification, the model cottage unit cannot really classify women; they may only accept or reject the women into the group referred to them by the institutional classification (staffing) team.

In addition, as suggested previously, the implementation of the Justice Model in a segment of the institution has caused some institutional problems, such as resentment among staff and inmates not involved in the program. On the other hand, there have been some positive changes.

For example, some of the rules which initially were changed only at the model cottage unit, also have been changed in the other cottages of the prison. Thus, the model cottage unit has had an impact on the rest of the institution.

The model cottage unit is not a self-governing unit because it is responsible to and a part of the larger institution. It operates within the confines imposed by the larger institution. Thus, in the context of the use of the term "participatory management" used in this report, it is not self-government.

However, to the extent that the staff and inmates participate together in selecting the women to become members of the cottage, in making the rules and revising the constitution and in determining disciplinary measures for rule infractions, the Model Cottage Unit program is a step in the direction of greater joint staff and inmate involvement in the management of the institution. However, primarily because the Niantic experiment only applies to a small portion of the institution, it is classified as a Token model of participatory management.

Walla Walla, Washington

The Washington State Penitentiary at Walla Walla is a maximum security facility with a minimum custody honor farm outside the wall which has an average daily count of about 1100 male felons. The average length of stay is about 30 months.

Formation of the Council

In December, 1970, racial tensions at the facility reached a peak which resulted in both black and white inmates confronting one another at a mass meeting. Fearful that violence would erupt, the guards virtually abandoned the institution to the inmates. In order to avert the threat of a racial riot, about fifteen inmates of different races joined forces to form a Race Relations Committee (RRC), and the committee successfully averted the threat of a strike. The RRC later argued for the formation of a decision-making council to replace the IAC.

Shortly after the racial tensions had subsided, the Secretary of Social and Health Services ordered the Superintendent of Walla Walla to implement an inmate self-governing council. Initially, the Superintendent opposed the

creation of the council because he had not first consulted the staff about implementation of the council and because he felt that there had not been sufficient time to train the staff. Thus, in March, 1971, the Resident Government Council (RGC) was created to replace the former Inmate Advisory Council.

The Council Structure

Two constitutions were drawn up. The first constitution was drafted in April, 1971, and revised in August, 1972. The structures of the two councils provided for in each constitution differ slightly. The first constitution called for a council of eleven inmate members. The second constitution changed this figure to a range of between 16 and 22 inmates; four to be elected from each housing unit. In each constitution, although the councilmen were to be elected from housing units, they were to represent the entire institution. Neither of the constitutions provide for staff representation on the council. However, the first constitution states that staff members may be requested to attend meetings with the prior approval of the Superintendent. The second constitution makes no mention of the staff members' attendance at meetings.

Council officers in the first constitution included a President, Vice President, and Executive Secretary. In the second constitution, the officers included a Chairman and a Secretary. The responsibilities of both the President (first constitution) and the Chairman (second constitution) included presiding over council meetings, coordinating council functions, action as a liaison among various committees, the council and the administration and officially signing all documents and correspondence of the council. The Vice President was required to act as a liaison with the inmate population, substitute for the President in his absence, handle individual complaints and deal with minor complaints or pass major personal complaints along to the main council. The Executive Secretary was generally responsible for keeping minutes and records and assembling reports for the council. The Secretary (second constitution) was also responsible for taking the Chairman's place in his absence. According to the first constitution, all other councilmen were to serve as committee chairmen.

Both constitutions require the council to meet at least once a month with the Superintendent or his representative. In both constitutions, decisions of the council may be reached by a simple majority vote. Both constitut-

ions, decisions of the council may be reached by a simple majority vote. Both constitutions provide for an elaborate system of committees for areas such as hospital, responsibility of inmates, and elections.

In addition, the first constitution provided for the creation of a Citizens' Advisory Committee. The committee was to be composed of six citizens, selected by the Superintendent and the council President, from a list of candidates from civic organizations. Citizens were to serve a one-year term. The responsibilities of the Advisory Committee included counting ballots for council elections, suggesting solutions to current problems brought before the RGC and informing the public about the needs of the inmates and the institution. In lieu of an elaborate description of the Citizens' Advisory Committee, the second constitution simply states that private citizens, acceptable both to council members and the Superintendent may meet with the council and/or the Superintendent in order to involve the community in the affairs of the constitution.

Elections

The criteria for candidacy enumerated in the first constitution included not less than six months remaining on the minimum sentence, and residence in the general population. The term of office lasted for six months; no inmate could hold office for more than two terms in any thirty months period.

The election process outlined in the first constitution stated that at least 18 nominees were to be placed on the ballots. Inmates voted for any eleven men; a block vote of eleven votes could be cast for a single candidate. The eleven men with the highest votes became the council members. The election was supervised by the Citizens' Advisory Committee, the Superintendent and other members of the RGC who were not candidates.

According to the second constitution the criteria for candidacy includes at least four months of sentence remaining, no less than sixty days in the general population, and no major disciplinary infractions during three months prior to being reviewed by the screening committee. The purpose of screening candidates is to be sure they qualify for candidacy. The term of office is eight months; no one may serve two consecutive terms.

According to both constitutions, recall of a member may be initiated if a councilman fails to attend two consecutive meetings. In addition, the second constitution states that a man may be removed from office if the housing wing which elected him feels that he is not performing adequately.

In the first constitution, recall would be effective after presentation of a petition signed by at least 20% of the inmate population and the vote of 3/4 of the inmate population or the vote of at least eight current council members. In the second constitution, a 2/3 majority vote of the inmate population will remove a man from office.

Copies of all council reports are given to the Superintendent and posted on the bulletin boards in the living units.

Functions of the Council

The primary responsibility of the council is to promote and to maintain understanding and cooperation among the residents, the administration and the community. In addition, the RGC reviews all major grievances which affect the inmate community; those grievances which the council cannot resolve on its own are referred to the Superintendent.

Individual grievances may be handled on a one-to-one basis by a council member. In order to carry out their duties, council members are available to the inmate population during the daytime. The constitution states that council officers must have access to all areas of the institution for which they have received prior approval from the Superintendent.

A third council function is to promote public relations and to keep the public informed of the conditions and events which occur in the institution. In the past, the council has been allowed to make press releases. A courtesy copy of all press releases are given to the Superintendent prior to their release to the news media.

As stated, in the second constitution, the council has no policy-making power. Rather, the council makes recommendations on matters of general institution interest to the Superintendent:

The Resident Government Council will have no policy-making powers but they may present recommendations to the Superintendent for his consideration.¹⁵

Another section of the second constitution states that the Superintendent has final approval over all actions/recommendations of the RGC: "No action is final until approved, in writing, by the Superintendent."¹⁶ In addition, the Superintendent has final veto power over council matters.

Reactions to the Council

Since the visit to Walla Walla occurred in conjunction with a previous project, the questionnaire compiled for this project was not used during the visit. However, the same general types of questions (i.e., pertaining to council structure, functions, power), included in the more recent on-site visits were asked of respondents at Walla Walla. Interviewees included members of the RGC, both individually and collectively, program staff members and administrators.

Both administrators and inmates perceived the council as a communication liaison between the administration and the inmates and as a channel for dealing with inmate grievances. One inmate saw the council as "an alternative to a super-custody oriented institution."

With respect to staff involvement in the council, both council members and administrators felt that the staff has had very little input into council activities. Inmate respondents generally agreed that staff members initially had resisted the formation of the council. One reason cited for this resistance was that the creation of the RGC reduced staff input into institutional matters since staff members are not formally represented on the council. A former council member said that if staff members had been part of the initial council, the inmate population would not have trusted the council because of their general distrust of the staff.

¹⁵Revised Constitution and By-Laws of the Washington Center Resident Government Council, Policy and Procedural Memorandum No. 23, Washington State Penitentiary, Walla Walla, Washington, August 9, 1971, p. 1.

¹⁶Ibid., p. 7.

In order to overcome initial staff resistance to the formation of the council, meetings of the staff, the Superintendent and the RGC were arranged. These meetings were reportedly successful for the duration of the first council. However, council members felt that the attitude of the second council towards the staff was less favorable. Some council members were reportedly more interested in self-aggrandizement than in the welfare of the inmate community. An administrative official said that initial staff resistance was reduced eventually "by time and by education of those who were negative."

Although the staff may be "less negative" towards the council now than they were when it was created, they seem to fear the RGC and the inmate population. During the visit, the investigators observed very little staff-inmate interactions. In fact, staff tended to cluster together in small groups at their posts on the tiers. Moreover, on a tour of the facility conducted by the current council president, when he came to a locked door, a guard immediately rushed to unlock the door, apologizing for the fact that it had been locked.

The Superintendent and a few council members said that although the staff had not been very involved in the operation of the council up until the summer of 1974, they hoped staff members would become more involved in the council in the future. However, perhaps the first priority to involve staff would be to alleviate staff fears of the council and the inmate population. Unless staff members can overcome their fears of the RGC, they will feel intimidated and will have little, if any, vested interest in the group. Thus, staff and inmates will remain adversaries within the institution.

Council members said that the first council generally was supported by the inmate population. Whether this support was voluntary or a result of coercion is not clear. The first president of the RGC was known as "The Crusher" and councilmen reportedly patrolled the institution maintaining order and discipline by force and intimidation. During a December, 1972, press interview, one inmate described the RGC as a "prison mafia...composed of career criminals." He claimed that during elections, rather than voicing dissent or concern, many inmates have remained uninvolved in the process for fear of reprisals from council members. He felt that the RGC benefits council members and their friends and not the entire inmate population. He

further reported that only about one percent of the older inmates supported the RGC.¹⁷ In any case, succeeding councils apparently lost inmate support because they were unable to effect significant changes in institutional conditions.

Since the creation of the first council, councilmen said they felt that the council has not been able to re-establish complete credibility with the inmate population. On the other hand, the Superintendent noted that the council in office at the time of the visit was "the best we've ever had" at least partly because they had suggested the formation of new inmate activities.

Council members generally agreed that perhaps the council's loss of credibility with the inmate population stemmed partly from a change in the Superintendent's relationship with the RGC. Council members pointed out that initially, the Superintendent had said he would share management of the institution with the RGC. However, after the first six months of the council's operation, councilmen claimed that he changed his mind. When asked about equally sharing official power with the RGC, the Superintendent replied that it would be impossible for him to relinquish half of the administrative responsibilities to an inmate group, such as the council.

In addition, council members said that their power and credibility had been weakened because the channels of communication between the RGC and the administration were inadequate to keep councilmen abreast of institutional matters in order to act responsibly.

Administrators and councilmen differed in their perception of the decision-making powers of the RGC. Administrators said that the council does make decisions. However, council members disagreed: they felt that the council did not function as a decision-making body, because their "decisions" were not binding, but subject to the Superintendent's approval. One inmate referred to the RGC as a "contradiction of the democratic process."

Some councilmen felt that inmate morale was very low and that the council was fragmented. One councilman refer-

¹⁷Morlin, Bill, "Not all inmates favor convict council work," Spokane Daily Chronicle, Spokane, Washington, December 18, 1972.

red to the RGC as a "splinter group of inmates." Some council members perceived that the administration perpetuated this division to weaken the council's position still further. A Declaration of Independence issue by the RGC reinforced this view:

B.J. Rhay...has forbidden the Resident Government Council to function as a governmental body on behalf of the people, to pass laws of Immediate and pressing importance without being suspended in their operations till his Assent should be obtained, and when so suspended, he has utterly neglected to attend to them...B.J. Rhay...has invoked a policy of, "DIVIDE AND CONQUER."¹⁸

Since the time of the visit, the discontent of the council has become evident in at least two instances. In December, 1972, the council resigned en masse to protest their lack of power. In support of their actions, the council argued:

The administration of this institution has refused to accept any positive advice or recommendations from the RGC, discounting our input as nonprofessional and irrelevant...If this administration would have accepted and acted on the many proposals advanced by the RGC, and on the agreed-upon guidelines formulated by the staff and RGC, several irresponsible inmates would not have been released into society and a general attitude of apathy and irresponsibility would not now prevail among residents and staff alike...The RGC will not continue to be used as a political football. We will either become a real party to the decision-making here or we will expose this myth for the entire country to see.¹⁹

However, the council reinstated itself following a meeting with the Governor's Aide and the Superintendent which resulted in a 15 point agreement.

Tensions increased again in February, 1974, when the inmates demanded psychiatric and drug therapy programs, improved work and training release privileges, improved classification procedures, and a halt to racial discrimin-

¹⁸A Declaration of Independence, issued by the RGC, Circa May, 1974.

¹⁹"Walla Walla Council Falters," The Freeworld Times, Minneapolis, Minnesota, December, 1972, p. 4.

ation. A threatened strike, which was supported by 733 inmates, was avoided when the Governor met with the inmates at the prison. However, a news release issued by the RGC in May, 1974, indicates that although the tensions had subsided, the issues remained unresolved:

Instead of progressing, we have stood passively watching the concept of self-government destroyed as the executive branch of the government sanctioned Administration regression. Therefore, we are left with no alternative but to Proclaim Our Independence from a form of government which is designed to be desultory to the ends of progress.²⁰

An additional memo issued by the RGC on May 8, 1974, also indicates the council's discontent with their relationship to the administration:

This Council has been in office since April 11, 1974. In order for this Council to be effective, we have to be heard and given decisions on our proposals. We are being constantly deadlocked because the Administration pigeon-holes our proposals. We can't function as we are.²¹

Despite some generally unfavorable attitudes towards the RGC, many council members felt that the council was a "step in the right direction." They reasoned that participation in the council enables inmates to have some input into institutional matters which affect their lives while incarcerated. In late 1974, another exercise in participatory management occurred when the RGC rewrote the constitution... again.

Summary

The Resident Government Council at Walla Walla is the most widely publicized inmate council in this country. Although it was created during an institutional crisis, the vested interest of both staff and inmates in the RGC seems limited. Staff members neither vote in council elections nor hold council offices and seem to fear the council. The lack of staff involvement in the council reinforces traditional staff-inmate rivalries. In the past, the council members, themselves, have felt powerless to act. In turn, the inmate population has sometimes responded by withdrawing support.

²⁰News Release from the RGC to all news media, May 10, 1974, p. 1.

²¹Memo issued by the RGC, May 8, 1974.

On the other hand, the council provides inmates with a vehicle to express their grievances against the institution openly. Moreover, the RGC may issue press releases and council members have access to almost all areas of the institution. The council thus provides a means by which inmates may become involved in the institution. The main problem seems to lie in the extent of responsibility which the inmates may exercise. Perhaps the new freedoms exercised by Walla Walla inmates reflect more the appearance of increased responsibility than an actual extension of inmate involvement in shared decision-making within the institution. The RGC is an example of the Quasi-Governmental model of participatory management.

Frontera, California

The California Institution for Women (CIW), at Frontera is a medium security facility which houses about 750 adult female felons. In addition, the Reception and Diagnostic Center for female offenders in California is located on the grounds of CIW.

The first women came to CIW from Tehachapi, California, in 1956 because an earthquake badly damaged the women's facility at Tehachapi. Interestingly enough, the staff and inmates together constructed the first facility at Frontera. One staff interviewee said that during the initial period of construction, there were no escapes at Frontera. Perhaps just as for Gill in Massachusetts, the cooperation of staff and inmates in a joint effort raised morale and unified these otherwise traditionally divisive forces.

Council Structure

The first inmate council, called the Advisory Council, began in 1958. Three inmates are elected from each housing unit; there are a total of 30 inmates on the council. Staff members are not represented on the council.

An Executive Council is elected by majority vote of the main council. The Executive Council directs the main council and according to one staff interviewee, "keeps things running smoothly." In addition, under a previous superintendent, the Executive Council acted as a liaison between the inmates and the superintendent. At the present time, the entire council meets with the superintendent.

About a week prior to the visit, some 200 women housed in the California Rehabilitation Center (CRC) were transferred from the state hospital grounds to CIW. The CRC houses civil commitments, that is, women who have been convicted of drug offenses or who have turned states' evidence in court trials.

Although the CRC and CIW are two separate institutions, the superintendent of CIW governs both units. Since California state law requires that civil and criminal commitments must be housed separately, the women from the CRC cannot be integrated into the main population at CIW. Thus, the superintendent of CIW was forced to rearrange the housing units to accommodate the new arrivals. The superintendent noted that this reshuffling has interrupted some of the progressive programs in effect at CIW. For instance, the women formerly living in the honor cottage were forced to move to another cottage in order to house the women from the CRC. In the honor cottage, the women had lived with minimal staff supervision. However, with the new living arrangement, staff now supervise the former honor inmates. In essence, these inmates have lost some of their privileges because of the arrival of the CRC.

In addition to the overcrowding caused by the influx of inmates, the superintendent pointed out that the lack of staff (especially to transport visitors to and from the front gate to the CRC housing units) and the differences in program structure of the two units have created some administrative problems. Theoretically, at least, the problems of the CRC might be handled within the structure of the inmate council. However, at the time of the visit, the CRC was not formally represented on the council.

Elections

The criteria for candidacy include at least six months of sentence remaining, custody grade (minimum) and a good conduct record. Elections are conducted by secret ballot in each housing unit. The term of office is six months; council members may serve a maximum of two terms. As high as approximately 98% of the inmate population has voted in recent council elections. Council members may be recalled for disciplinary reasons or for infractions of institutional rules.

Council Functions

The council may be convened by the inmates or the superintendent as needed. Usually, however, the council meets once a week to discuss issues among themselves and once a month to discuss issues and to make recommendations to the superintendent. The superintendent then meets separately with her staff to discuss matters. Occasionally, the inmate council meets with both the superintendent and the staff. However, since these meetings occur infrequently, the superintendent serves as a liaison between the staff and the inmates.

The council, admittedly, has no decision-making powers, but makes recommendations to the superintendent, who has decision-making power on all council matters. Because the superintendent, staff and inmates do not meet regularly to discuss matters, inmate interviewees reported that resolution of issues often takes at least a month.

Council members act as counselors in their respective living units at night. Thus, for the duration of their term of office, council members are never locked in their rooms, but may walk freely around the unit. However, since this freedom is limited solely to council members, after a woman has completed her term of office, she is no longer allowed to walk freely around the cottage at night. Thus, her demonstration of responsibility is "rewarded" by a removal of the privileges she has shown she can handle.

Reactions to the Council

Just as for Walla Walla, the visit to Frontera occurred prior to this project. Thus, the questionnaire used for the other three site visits was not employed at Frontera. However, many of the same items which appear on the questionnaire were asked of staff, inmates, and administration at Frontera during informal interviews.

Interviewees generally agreed that the purpose of the council include promoting communication between the inmates and the administration, acting as an inmate grievance committee and serving as an inmate advisory (as opposed to a decision-making) body.

With respect to the lack of staff involvement in the council, some inmates felt that the staff should not be part of the council as it was created to meet inmates' needs. In contrast, one inmate felt that the typology of

the staff was changing: staff seem to be becoming more youthful, aggressive and willing to help the inmates to change their destinies in the institution. However, she further noted that very few staff members would be willing to risk their positions for the welfare of the inmates.

Inmate interviewees generally left the impression that the council was unable to alleviate traditional staff-inmate rivalries. In particular, one inmate noted the inefficiencies in the operation of the laundry which might be attributed to staff-inmate conflicts.

During the visit, the investigators attended a council meeting. About one-third of the council was present. In addition, four women from the CRC were invited to the meeting for the first time. Topics of discussion focused on creature comforts, such as ID cards, conjugal visits, delivering packages to cottages, laundry, clothing, and food service. One member mentioned that the conjugal visiting apartments had been left in poor condition prior to her visit, she and her children spent the entire visit cleaning the apartment. Other council members complained of poor lighting fixtures in the apartment. Still another problem was the 7 AM bed check required of inmates during the conjugal visits. The council voted to recommend that the bed check be changed from 7 AM to 9 AM. As one inmate put it, "If a woman escapes, that two hours won't get her very much further away."

Other problems centered on the food service. Council members voted to change the Saturday breakfast hour from 7 AM to 9 AM, since the women have no work call on Saturday mornings. Council members were asked to pool their housing units and then to return to discuss the issue further making the recommendation to the administration. In addition, one council member suggested that the type of meal served in the evening should be more substantial than the noon meal, as the length of time from the noon meal to the evening meal is shorter than the length of time from the evening meal to breakfast the following morning.

Newly invited CRC women voiced concern about the inadequate clothing quota and the inability to get seconds on meals as CIW residents. They also asked to be represented on all CIW committees. Following a lengthy discussion on each of these topics, the council voted to form a committee to deal with each problem area.

Summary

The fact that the council has been in operation for several years and that the basic problems of creature comforts have not yet been resolved indicates that the council lacks power.

As stated by both administrators and inmates, the council is advisory only. However, since the superintendent meets separately with staff and inmates, the length of time between the council's recommendation and actual implementation of a change in the institution may be several days. Thus, even the council's power to make recommendations may be limited by the extensive amount of time required to initiate changes.

The proliferation of committees to handle problems resembles Gill's model. However, in contrast with Gill's model, staff are not included on the committee at CIW. The lack of staff involvement in the council indicates that staff problems are handled separately by the administration. Thus, there is little, if any, consistent unification of staff and inmate efforts to alleviate common problems and to promote understanding and cooperation among these two (adversary) factions. The Frontera council is a Quasi-Governmental model of participatory management.

Despite the limitations in power, the council and committees at least provide a mechanism by which inmates may air grievances, and may become involved in activities within the institution. In this respect, however, perhaps the council serves more as a means of institutional control than as a way to involve the inmates in participatory management in the institution.

Vienna, Illinois

The Vienna Correctional Center is a minimum security facility that housed 444 male and 35 female inmates at the time of the visit. The average daily count is 450 and the average length of stay at the institution is one and one-half years. The facility was opened to male offenders in November of 1965 and became coed in May of 1974. The women live in a building set apart from the main institution but participate jointly with men in school and work programs.

The Council

There was an inmate council at the institution prior to the formation of the current committee system in 1973. The 12-member council consisted of four executive officers, (President, Vice President, Secretary, and Treasurer), who were elected from the main council. The remaining eight council members served as chairmen of committees appointed to deal with issues of importance to the inmate population. Staff members were not involved in the council's operation.

From its inception, the council faced serious problems. Inmates elected from different housing units reportedly encountered difficulty in getting along with one another. Inmates often refused to serve on committees because, as the Superintendent remarked, "Residents were busy with their own problems and really saw no need for participation."²² Council members split over issues such as the frequency of council meetings: some council members skipped meetings; others sought to meet weekly. In addition, some council members used their positions to engage in illegitimate activities. For instance, until he was apprehended, one council president reportedly obtained drugs from the free-world to sell to inmates.

Because of these insurmountable problems, the council was disbanded and replaced by a standing committee system in 1973. The warden summarized the impact of the council on the institution as follows:

It became obvious that we were not getting participatory management, but instead, getting far more problems with no solutions from residents in terms of focal issues in the institution. Nothing on food management, recreation, discipline, assignments, cleanliness, programs, visits, etc. NOTHING. (emphasis in original).²³

Standing Committee Structure

The standing committees each focus on specific activities, such as recreation, food, school, medical care, library services, arts and crafts, coed activities, laundry, dis-

²²Statement of Warden Vernon G. Housewright, December 19, 1974.

²³Ibid.

cipline, mail, visits, commissary, housing unit management and special programs. An equal number of inmates, program and/or line staff serve on each committee that usually consists of 12 members and a chairman. However, some committees, such as the Coed Activities Committee, may have as many as 50 members. Committeemen serve an indefinite term of office and each member has an equal vote.

Since each committee deals with a specific problem area, each committee chairman is the staff member assigned to that area. For example, the food supervisor chairs the food service committee.

Committee Functions and Responsibilities

The purposes of the standing committees include dealing with inmates' grievances, assisting management by identifying institutional problems and promoting communications between staff and inmates.

The committees do not meet regularly with the warden or his representative. They are scheduled to meet once a month but may be convened by inmates, staff or the warden as necessary. As the warden stated, "If they have nothing to discuss, they don't meet."²⁴

There is no formal constitution, by-laws or set of rules governing the operation of the committees. Committees have no decision-making powers with respect to management of the institution. Minor changes, such as a change in which night a certain meal might be served, may be made by the committee. However, changes in institutional procedures, such as the feeding procedure, must be handled by the institutional administration. For such issues, a committee examines them and reports its findings and recommendations to the administration for consideration. One administrator reported that no major changes had occurred in the institution as a result of the committees' actions or recommendations.

Final veto power for all committee actions or recommendations rests with the superintendent. Committee activities are communicated to other inmates through notices on bulletin boards, articles printed in the inmate newspaper and memos distributed to the inmates.

²⁴Ibid.

Reactions to the Committees

Both committee members and administrators perceived the role of the committees primarily as a communication liaison between the administration and the inmates. In addition, both groups perceived the committees as advisory bodies for the purpose of recommending changes to the administration.

The warden believes that the standing committee system has improved the cooperative efforts of the staff and inmates:

This arrangement has led to far more cooperation and management input from residents and staff with a feeling of accomplishment. It has also led to far more resident and staff involvement in management decisions since several committees are organized...This has been an excellent means by which residents and staff work and cooperate together to get the job done in the best interest of all concerned.²⁵

Summary

The initial inmate council reportedly was discontinued because of several major insurmountable organizational and operational problems. These problems included a lack of cooperation among the inmates and a lack of joint staff and inmate participation.

The current committee system, that replaced the council, attempts to involve both staff and inmates in joint efforts to explore institutional issues. Each committee focuses on a particular issue, primarily directed towards the improvement of creature comforts such as commissary or laundry. The committees admittedly do not decide matters of institutional policy, but make recommendations to the administration for consideration. Thus, the powers of the committees are limited since they serve in an advisory capacity only.

Participation on the committees is voluntary rather than elective. Thus, as the term "representation" is construed in this report, both staff and inmate committeemen do not represent their respective factions of the prison

²⁵Op.cit.

community. In addition, committee chairmen are not elected by the committees, but are always staff members. Thus, the committee members are not involved in selecting their own leader.

Because of the extent of both decision-making powers and representation, the committee system at Vienna Correctional Center exemplifies the Token model of participatory management. The amount of staff and inmate interest in the committee system is unclear. However, despite the lack of decision-making powers or representation, administrators' and committee members' reactions to the present system were generally favorable.

CONCLUSIONS

The results of both the mail survey and the on-site visits suggest some general conclusions about the characteristics of inmate councils in adult American correctional institutions with respect to the two variables of representation and power.

In terms of representation, inmates always and staff rarely are represented on the councils. When they are included on the councils, staff members are usually appointed by the superintendent and generally act as an advisor to the council rather than as the representative of staff interests. Minimal staff representation implies minimal staff participation and interest in council affairs. Comments made by staff members during the on-site visits tend to support this contention.

With respect to inmate interest and involvement in the council, the mail survey disclosed that a majority of inmates generally voted in the most recent election prior to July, 1974. The relatively high percentages of inmates usually voting, suggests that perhaps inmates must have a high vested interest in the council's functioning and operation. On the other hand, inmates' responses during the on-site visits suggests that perhaps inmates are less enthusiastic about the council than the high percentages of inmates who voted suggest. This diminished enthusiasm results mainly from the council's lack of or limited power to make changes in the institution.

Both the on-site visits and the mail survey revealed that the councils main functions or roles in the institution are to serve as an advisory body to make recommendations to

the superintendent and to act as a communication liaison between the administration and the inmates. Relatively few respondents in either the on-site visits or the mail survey indicated that the councils serve as a decision-making body; all decisions are subject to the superintendent's veto.

In addition, the areas in which councils reportedly make decisions are limited. Councils mainly "decide" matters pertaining to creature comforts. In those institutions in which the councils reportedly have a say in administrative matters such as classification or discipline, the impact of the councils is limited. For example, the "council" at Niantic is involved in the classification process, but only for one cottage; the councils at Norfolk and Walla Walla reportedly may only make recommendations to the administration concerning discipline and classification matters.

Of the six institutions visited, no examples of either the Full Participation or Governmental models of participatory management were found. Four councils (Norfolk, Framingham, Walla Walla and Frontera) were classified as Quasi-Governmental models. One council (Niantic) and one committee system (Vienna) were classified as Token models.

Thus, the councils in American penal institutions generally seem to be limited in the scope of their representation and power. The lack of staff participation indicates limited representation on councils. The restrictions on the extent of and areas in which councils may make decisions indicates the councils' limited power. Taken together, these results suggest that most councils in adult American correctional institutions follow either the token or quasi-governmental model, described in Chapter II, and tend to be only minimally involved in institutional management.

PART THREE

The Future?

CHAPTER V

THE RESPONSIBILITY MODEL

The present system of imprisonment has not worked, although some alternatives have emerged from time to time. It must be recognized that both staff and inmates have much in common; both must be treated with human dignity.

Man is more easily led than driven and the prison problems to a large extent can be traced to the inequitable, arbitrary, unfair and unjust system of management. To combat the traditional negativism of the prison, a coalition of power between inmates and staff based upon honesty and trust could form a strong power base for change. Before describing an alternative model of prison management, a discussion of assumptions, upon which it is founded, is presented first.

Criminological Assumptions

1. Complexity of Criminality. Criminality is a complex phenomenon manifest across cultures, ethnic groups, social status, sexual differences, age ranges, occupational status and geographic regions. It can be demonstrated that specific areas of a community are more crime prone, at different periods of time and that various crimes are committed with greater frequency than others by offenders in a particular age group. Nonetheless, it appears that no segment of our society is immune from criminal attack nor free from contributing to criminal behavior.

2. Limited Accountability. The impact of the prison on offenders is widely acknowledged as being generally negative and counter-productive. However, it is unreasonable and inappropriate to expect the prison to correct social problems resultant from the criminal justice process and, indeed, from the larger society. The most which can be expected from reform of the prison is the lessening of the negative effects of the prison experience.

3. Conflicting Objectives. The prison cannot concurrently fulfill all the purposes which have been assigned to it. Some, if not all, of the objectives (punishment, deterrence, incapacitation, rehabilitation, reformation, retribution, rehabilitation and vengeance) are in opposition to one another. The prison cannot be all things to all prisoners; nor to all members of the society.

4. Inmate Control. Penologists generally agree that inmates are relied upon extensively for institutional operations. Some wardens have stated that the prison could not be operated without the inmates' cooperation or permission. The "evil" of power is not inherent in its existence within the inmate group but the illegitimate manner in which it is customarily manifested.

5. Common Irresponsibility. While crimes and criminals vary greatly in many ways, offenders have one thing in common; they all have acted irresponsibly in meeting societal norms as defined by the dominant culture. Even those offenders who suffer from some form of mental impairment, and are thus excluded from accountability at law, have been irresponsible in discharging their societal obligations.

6. Rejection of Totalitarianism. The moon would not be selected as a culture medium for any organism destined to exist on earth; the desert is an unlikely site for instruction in swimming. However, we members of a democratic society have selected an equally inappropriate training model to correct criminal behavior. We have created an authoritarian regime in the prison which in some mystical manner is supposed to foster change in the individual. Presumably, this change will equip him to function in a democratic society where he has a wide range of choices and freedom to make decisions.

7. Rejection of the Medical Model. Not all inmates are "sick" and any single treatment model designed to eliminate or reduce the incidence of criminality is both simplistic and non-productive. If, as most criminologists contend, criminality is a result of multiple factors, then a multifaceted treatment approach would seem more appropriate. Focusing on the prison experience, a variety of treatment programs, or no formal treatment program, would provide a spectrum of resources from which the staff and inmates could choose to meet the inmate's needs...if any.

8. Value of Decision Making. It seems logical that one way to learn appropriate decision-making techniques, which influence one's own destiny, is to have the oppor-

tunity to make responsible decisions. An administrative structure designed to encourage the development of responsibility through decision-making would be more productive than the current structure which relies almost exclusively on paternalism.

9. General Applicability. Whereas most inmates can profit from participating in management of the institution, some cannot. It should be apparent that those inmates who suffer from mental impairment, have severe psychological problems, reject society's value system, or are accidental offenders may not benefit greatly from such experiences. Nonetheless, neither would they be further disadvantaged by the experiences.

This proposed model may not work for the draft resister (who sees himself acting responsibly towards himself); for the "political prisoner" (who sees himself acting responsibly towards society); or, for the professional criminal (who acts responsibly towards no one).

A Model of Responsibility

Theorem. If inmates are allowed to participate in decision-making, then they will act more responsibly towards themselves, others and the prison society.

Corollary. If inmates develop a sense of responsibility while in prison, then they will tend to act responsibly after release.

Definition of Terms

Participation is defined as the real opportunity for the inmate as well as his actual involvement in self rule. Participation may be listening, speaking, serving on committees or councils or other active or passive reactions to the participatory management process.

Decision-making infers the right of the individual to determine for himself his amount of participation; or not to participate at all. The term implies the authority to implement changes through representation and not merely to make recommendations.

Responsibility, in this context, means demonstration of attitudes and actions towards self and others which are not destructive but which collectively serve to enhance the cohesiveness, stability and evolution of the society; that of either the prison or the freeworld.

The Responsibility Model is defined as individual and group experiences in responsibility which permeate the entire environment and which constitute the context within which all activities take place in the prison community.

The Treatment

Participatory management is the treatment; not group therapy, not individual counseling, not charm school or any of the other "programs" which proliferate the institution. The shared decision-making philosophy must pervade the entire facility and establish the context within which other viable components of "treatment" might succeed...if the prison community perceives a need for them. The Responsibility Model, per se, is not a treatment program in the usual sense but provides the administrative mechanism within which a variety of treatment modalities may emerge.

As discussed earlier in Chapter II, the variables of interest are power and representation: power to make real decisions effecting one's own destiny; representation to assure equity in reaching the decisions made.

The effects of the treatment within the institution can be assessed by evaluating any changes in the level of violence, the number of escapes of inmates or transfers of officers, and the number and kinds of disciplinary reports filed against both staff and inmates. Effects outside the prison can be measured in terms of recidivism and aculturation to the larger society.

In both evaluations, it is assumed that the usual barometers of prison instability and unrest are valid indicators of progression on a scale of responsibility-irresponsibility.

Results

It is predicted that once the participatory management model is implemented as described further in the next chapter, there will be some significant short-range gains. These gains will be (1) a decrease in institutional violence; (2) fewer involuntary transfers of officers and inmates; (3) fewer requests for transfer by officers and escapes by inmates; and (4) fewer disciplinary reports against both officers and inmates. The next effect upon the administration will be an increase in managerial effectiveness. Upon staff and inmates, there will be reduced tensions and hostility in interpersonal relationships.

The desired long range gain will be the reduction of recidivism. As discussed elsewhere, the prison is only one of the many factors which contribute to criminality. Similarly, any reduction in recidivism rates cannot rightfully be attributed solely to new techniques of prison management. Any effort to suggest that there is a direct correlation between institutional and freeworld behavior is simplistic. Such factors as race, economic status, social class and opportunity are variables largely, or totally, beyond the control of the individual offender.

The very nature of confinement precludes the possibility of the prison ever really approaching the freeworld model. There is no expectation that councilmen in the prison are being trained to become councilmen after they are released. Only a small portion of the inmate population is directly involved in management; the balance must work through their representatives. For the majority, this latter group, the approximation of participatory management to the freeworld is more realistic.

It is not being assumed that the society really operates in a pure democratic manner. For the ex-inmate, his employment is not likely to include an opportunity to share in the management of the firm.

There is probably little danger of raising the expectations of the inmate to unrealistic heights post release. However, unfulfilled hopes could result in disappointment, cynicism and a reverting to criminal behavior. Care must be exercised in establishing and maintaining the Responsibility Model so that the goals and objectives are clearly understood by the participants.

It is neither the experiences of management nor shared decision-making, per se, that are transferable to the freeworld. These devices are but the means for reaching the ends of developing responsibility within the inmate. It is this responsible view of self and others which hopefully will be transferred after release to new situations. If successful, this new attitude will assist the released prisoner to choose responsibly and thus avoid criminal responses and return to prison.

Summary

One purpose of the prison is to train offenders for successful integration into the freeworld yet the prison model is antithetical to this endeavor. The re-integration

process would be enhanced by creation of a prison environment similar to that in the freeworld. This environment should include shared decision-making among administrators, staff and inmates. This method forces the inmates to accept responsibility for their decisions and the consequences of their behavior. Whereas they have (as all criminal offenders) acted irresponsibly towards themselves and society, in the Responsibility Model they cannot run away but will be confronted with their behavior and will be forced to deal with it. But, as with most innovations, the strategy of implementation is just as crucial as the essence of the innovation.

CHAPTER VI

STRATEGIES OF IMPLEMENTATION

(I)t is the mind, and not merely the body, that should be aimed at in all restraining, as well as stimulating, processes; that nothing is gained which is enforced by mere physical coercion, or rather, that whatever may be supposed to be so gained is far more than balanced by what is certainly so lost.

How like a truism does such a sentence read? How impossible does it appear, on paper, and in the abstract, to dispute it! Yet when we come to apply it, how disdainfully, in almost every sphere of life, do men in power usually turn from it!

How constantly do they plead an exception in their own particular case! "Circumstances are unfavorable, or the materials on which they have to work are bad!" To the unskillful or the indifferent, were they ever otherwise?¹

The model relies entirely on the participants. The prognosis for success will be no better than the quality of the personnel involved. Once an organizational commitment is made to implement participatory management, it is necessary to consider the kinds of people most likely to make it succeed.

¹Maconochie, Alexander, Captain, Australiana. Thoughts on Convict Management, and other Subjects Connected with the Australian Penal Colonies, John W. Parker, London, 1839, p. 127.

Participants should really believe in the philosophy of participatory management, be willing to make a personal commitment to the project and be prepared to devote the additional time and effort required to make it work. The warden must set the tone by encouraging formation of the council while at the same time resisting the temptation to expedite the program and make it more "efficient" through the customary exercise of the power of his office.

In order that the council function with real power, (as defined earlier) it must be comprised of strong-willed individuals who will resist undue administrative interference or coercion. These kinds of persons are most likely to have the respect of the other staff and inmates; and the success of the council is predicated on the credibility it has with its constituents. Above all, both staff and inmate council members must be seen as fair, objective, sincere and honest if any acceptable semblance of justice and equanimity is to be brought to the community.

The warden faces forces both internal and external to the prison. In discussing strategies of implementation throughout this section, the comments, observations and recommendations are consistently suggested from the perspective of the warden. That is not to discount the value of opinions or perspectives of others but it is the warden who has the responsibility for program administration and it must therefore be he who implements innovations. He has no power to implement programs outside the prison; and those of a different persuasion do not have the sole power to institute programs within the prison. Consequently, if he is to exercise any control over the fate of the institution (or over himself), it seems appropriate that his universe be viewed from his perspective.

INTERNAL

Administration

Over a period of time, the personality of the institution will reflect the philosophy, management and attitudes of the warden. Similarly, the governmental model created to manage the prison will be the extension of the warden. It is he who overtly or covertly transmits cues to the other members of the prison society which determine the character the council will have.

Traditionally, the adversary relationships between staff and inmates have lead to mutual suspicion which has

fostered distrust between the two groups. Inmates and staff have been conditioned to judge the prison administration more by its actions than words. Therefore, it must be understood that pronouncements by the warden concerning the formation of a real participatory council (even though sincere and real) will remain essentially useless from the staff and inmates' perspective in terms of communicating his real intent. Consequently, the warden must take the initiative by demonstrating his commitment to this innovation.

Before any venture such as participatory management is attempted, it is essential that the prison administrators enjoy the necessity of credibility within the prison community. This factor is not so much a function of whether the warden is permissive or harsh in his administration as it is a product of his reliability. That is, if the warden has an accepted reputation for keeping his word, saying what he means and acting with predictability, then his declarations about formation of a council will have more meaning.

On the other hand, if he does not have this reputation, the warden must establish this position before the introduction of this or any other innovation; "must," that is, if he is sincere in creating a receptive environment which will nurture the evolution of a council. Not all administrators will be able to achieve this basic requirement.

Staff

Initial resistance to participatory management will come not from the public (which will not be aware of it and may not care anyway) but from the forces within the prison itself. Primary opposition will come from the custodial personnel of the prison staff because they will view any effort to share decision-making with the inmates as an erosion of their power. Because of the traditional cleavage between staff and inmates it requires a great deal of revolutionized thinking for each group to collaborate with what has traditionally been perceived as the "enemy." As discussed earlier, participatory management is one method for absorbing the inmate population into the system and thus reducing conflicts to in-house disputes rather than the usual adversary confrontations between the two systems.

The guards constitute a power block which is more subtle. They are not likely to openly resist a change or defy instructions; yet they can, by the slow play and other efforts, effectively sabotage any instruction from the

warden's office. Consequently, it is necessary to include in the master plan for change the needs, goals and objectives of this group. Insofar as participatory management is concerned, involving guards in the process from the very beginning may eliminate their resistance. Howard Gill, for example, modified Osborne's model to correct this deficiency.

Staff members must be willing to participate in a give and take relationship within the council while retaining the individual roles to which they are assigned in the institution. It would be desirable that they, as well as inmate members, possess conciliatory attitudes and be willing to reason together with those normally viewed by them as their opponents.

Inmates

Similarly, inmates may resist cooperation with staff. Their reluctance may result from a feeling of hopelessness and that the prison administration is insincere about sharing decision-making. Some may not wish to become involved because they do not care about others, wish just to do their own time or fear further exploitation. Others who really wish to see a major change in the prison organization, and who are willing to make a commitment to assist, still may be reluctant to participate out of fear that there will be no basic change; that probably the only result will be the substitution of a corrupt, exploitive inmate bureaucracy for the former corrupt, exploitive inmate dictatorship.

Inmate disaffection with the prison administration comes about as a result of real or imagined grievances. It can evolve from general problems which adversely affect the entire population (such as food or laundry services) or may offend only small groups (such as religious sects or recreational groups). Confrontation with fragmented sections of the prison community has posed no serious problem for most administrators. Through the Genghis Kahn axiom of "divide and conquer" the inmate population has been kept under control by neutralization of these small pockets of resistance. In many instances, this control has been accomplished (negatively) by reassignment, transfer or imposition of negative sanctions on the dissidents. Or, less frequently it has been handled (positively) by resolving the source of the problem. Either way the administration has been able to maintain control...temporarily.

The inmate population is correctly characterized as being diverse, unorganized, distrustful of one another and lacking in cohesiveness. However, inadvertently the warden

can become the catalyst which will coalesce the disgruntled factions into a single body by being unrelenting with small groups. An unresolved common grievance is the glue that will cement relationships between inmates, cause them to set aside their historical enmity and, for the moment, encourage them to join forces for mutual survival. This is the formula for a riot.

Consequently, dissipation of conflict through removal of sources of grievance can be a viable alternative to lessen the chance of rebellion. Therefore, legitimate channels for discharge of hostility must be provided. In addition to a council which forms the umbrella over new management methods, other techniques will be found to be useful. These would include a formal, fair grievance procedure, assurance of at least minimal due process in disciplinary hearings, inmate involvement in classification, an uncensored prison newspaper and a reasonable right to congregate and discuss informally personal and institutional problems. All are means of ventilation and can at least have some value in catharsis even if the problems are not resolved to the satisfaction of the complainant.

Basically, the issue is that caged freemen bring with them to the prison a philosophical heritage. This heritage includes some notion of the right to freedom of speech and the freedom of assemblage. By denial of these rights operative on the streets, the prison administrator immediately creates a conflict situation which constitutes the context within which most other problems occur. The mere fact of incarceration imposes many restrictions such as the right to bear arms, freedom of movement and the freedom to engage in a variety of activities which cannot be permitted in the institution. To increase this list only compounds the problems inherent in the transition from the street to the prison.

Such resistance from both staff and inmates is real, is sincere and must be dealt with as the first priority of implementation of participatory management.

The Process

Resistance from within the institution can be partially overcome by the warden's enthusiastic and well-publicized endorsement of the program. Civics seminars in the purposes and objectives of the council conducted separately and jointly with staff and inmates should lessen resistance. Finally, the warden can use his power to neutralize dissidents

within the ranks of both staff and inmates who might use their individual or collective power to sabotage what they perceive as a threat to their positions.

The members of the prison community, both staff and inmates, must be convinced it is to their mutual benefit that the new management model succeed. They will become convinced not by promises of future rewards but by experiencing direct, immediate evidence that at least some portion of prison management is in reality being shared with them.

For this, as any other worthwhile innovation, to succeed, it must be a product of a need perceived by both inmates and staff. The warden can provide the opportunity for such an idea to be suggested but, the plan must originate with staff and inmates. If staff and inmates see it as their idea they will have the investment of authorship and, consequently, a vested interest in making it work.

The process is more important than the product and efficiency must be secondary to the electoral process in creation of the council. To distinguish the responsibility model from advisory councils, it is necessary to let the idea emerge from the ranks of staff and inmates and to involve them in all phases of the process from the beginning. Elections should be monitored by staff and inmates elected for that purpose. This activity is difficult because prior to the formal election there is no duly recognized process to select members as monitors. Consequently, an ad hoc procedure acceptable to the majority will have to suffice.

The results of the election and all other proceedings of the council must be published, signed by staff and inmate members, posted in the residence areas and otherwise disseminated to keep the councilmen honest. This tactic prevents either staff or inmate members from acquiescing at the council meeting and then trying to look good by telling their constituents they were out voted or that they voted against the issue.

Councilmen will initially deal with creature comfort matters such as working conditions, food, laundry, sanitation and other essential services which directly affect their daily lives. In the second phase of the evolution of the council, members will address themselves to issues involving discipline, classification, work assignments and other affairs which constitute more basic problems in the institution.

In phase 3 (if allowed), the council may wish to consider officer grievances, their job assignments, institutional rules and more direct managerial issues relating to the institution. Somewhere in the process, furloughs, conjugal visits, dances, COED activities, babies (if a woman's prison) and similar issues will inevitably be discussed.

As more freedom to make decisions is granted more freedom to make decisions will be sought. A subjugated individual is never content with "just a little" freedom and as control over his own destiny increases so too will his expectations rise. It is at this critical point that administrators must not out of fear abort the movement. In an effort to regain power, the warden may precipitate a revolt and a confrontation.

Once started, participatory management must either evolve or regress. The warden must recognize this inevitability and be committed to a confrontation with the inmates or the outside power structure; depending upon which path he chooses. There must be a consensus of commitment within the executive branch to "ride it out" over the temporary resistance if the program is not to be destroyed by the proponents of prison change.

EXTERNAL

Executive

Since the prison is a part of the executive branch of state government, it is necessary to have support for innovations from as high as possible in the system. At the least, there must be endorsement from the top administrator in the prison system. At best, the governor, as chief executive of the state, should support innovations.

The governor must be aware of plans so he is not caught by surprise when his political opponents attack his administration for "being too liberal." He must not only be made to understand the objectives of the innovations but how, if properly executed, they can be capitalized upon as a credit to his administration.

Participatory management is not a kind of issue which, per se, will evoke strong opposition from the freeworld community. However, the governor must anticipate the possible ramifications of the council and either limit the parameters of inmate decision-making from the beginning or, be prepared

to deal with controversial programs when they emerge. "Deal with it" really means that the governor must not only be willing but sufficiently informed to cope with potential adverse criticism.

While the governor is not really expected to be knowledgeable about the minute details of each and every program under the supervision of the executive branch, his adversaries may seize upon a tenuous operation as an opening through which the governor might be vulnerable. This is why it is essential that correctional administrators convey to the chief executive as much detail as he is willing to accept regarding any major shift in policies or programs which could conceivably cause some embarrassment. Thus, an open line of communication with the governor is crucial to the successful implementation of participatory management.

The positive and negative ramifications must be honestly spelled out in order that the governor may make an enlightened judgment as to whether he thinks the risks should be undertaken at that time; or at all. It is important to receive the governor's endorsement of the project prior to its undertaking; it is essential, of course, that he not oppose it. It should be explained that, if the proponents of participatory management are correct, there will be a lessening of institutional violence and escapes which are significant and measureable quantities that can support a persuasive defense against potential criticism. While the governor's support is requisite, it is probably not to anyone's advantage that he prematurely express this opinion publicly.

If the project later goes "sour," the governor would rather not have been previously committed to its support. The warden will not welcome a premature revelation to the public because he wants to eliminate or reduce to a minimum the interjection of additional outside variables over which he has little or no control.

The inmates and staff might perceive such an announcement from the chief executive as something directed from the top as opposed to emerging from the prison community itself. Thus, a premature public announcement of executive support could lend some official sanction and credence to the innovation but, simultaneously (although inadvertantly) foredoom participatory management to become but yet another artifact of prison reform.

However, the silent support of the governor can serve as "money in the bank" when he is approached by other governmental agencies or bodies for an explanation. But, if the

prison administrator does not obtain initial concurrence and continue to keep the governor's office informed of the true status of the project, the governor's enthusiasm may wane when he is caught by surprise. It is better by far for the governor to learn of any negative aspects of the program from his program administrators than to learn of them through a letter from an irate citizen, a phone call from a disgruntled legislator or a newspaper account written by a zealous reporter.

Criminal Justice System

Since the prison constitutes a tangible and significant part of the criminal justice system, any change in the prison will readily come to the attention, and possibly have an affect upon, other parts of that system. Law enforcement officials, prosecutors, judges, paroling authorities and probation departments all have some link with, and interest in, the prison, in varying degrees. Efforts must be made by prison officials to avoid utterance of the rallying cry "They are letting the lunatics run the asylum!"

To forestall the raising of this alarm, prison spokesmen should take advantage of any and all realistic opportunities to interpret prison programs to those concerned agencies and/or individuals. There will be little jeopardy for the warden if an honest and candid presentation is made at meetings such as the bar association, peace officers associations and possibly judicial conferences. The key here is the same as dealing with the governor or other official agencies: candid discussions of the program in private at an early state of development to inject positive and realistic concepts which hopefully will offset later potentially negative input resulting from unfounded rumors.

If it is understood by all concerned that the warden is in charge of the prison, then he should feel secure in discussing his programs with "outsiders." When his tenure or power is tenuous, the warden may not wish to take the risk of informing other agencies in advance of the innovation and thereby risk interference. In communicating with others, the warden should not be viewed as asking for permission to innovate or, indeed, even seeking endorsement. Whereas the latter would be ideal, he should consider his efforts a success if others only agree not to raise the hue and cry without further observations or personal investigations of the program.

One word of caution is in order as implied by the preceding comment. If the prison official is reasonably certain

that he will be confronted with strong opposition, interference and efforts to stop his program from a specific source, then he would be prudent in not fully informing that individual of his plans. As it is true that all inmates cannot be rehabilitated, neither can one change the opinions and actions of some free people. Discretion then becomes the better part of valor and information should be dispensed on a "need to know" basis with the calculated potential of an attack later down the road...but at a time chosen by the warden when the project will have been in existence sufficiently long to negate the dire predictions which may be leveled by the antagonist.

Legislature

The foregoing remarks, of course, are equally applicable to legislators, and in fact, to any other group which from time to time pokes around in the prison. However, legislators have a greater right to know how the state funds are being expended because they control and are accountable to the electorate for their allocation; a fact not lost on constituents at election time. While here, also, legislators do not directly control institutional programs, they may nonetheless exercise their prerogative and employ economic sanctions via the prison budget and thus indirectly exterminate an "undesirable" program.

Hence, it is important to invite key members and the chairmen of committees dealing with budget and corrections to visit the prison for a general inspection and tour at an early stage of any major changes. They all have the legal right to visit the prison anytime they desire anyway. A visit to the prison to learn about the program firsthand will help dissipate rumors and will elicit some appreciation from the legislators for being kept informed. It is better for them to come invited at a time when the warden can prepare for their visit than to be caught unexpectedly. In the course of explaining the prison programs, participatory management can be explained in a simplified and pragmatic fashion and the legislators thus will become informed of what it is, how it works and what the interim results have been. If one can demonstrate a reduction in violence and property destruction along with full employment of the inmates, the "keepers of the coins" will probably be satisfied that funds are being expended appropriately.

There will be the perennial critics among the legislators as in other groups who pensively wish for "the good old days when convicts were punished." The warden must resist

an urge to educate the dissident with further arguments and empirical evidence because such positions are not the product of rational thinking but, reflect prejudices the warden will not overcome. If the warden pursues his point, he may in fact heighten the hostility of others who perceive one of their group being attacked. It is better for the peers of the dissident to deal with him in the privacy of the legislative forum. Where reason does not prevail, sympathetic votes may neutralize him.

The Public

There are less formally organized, but potentially powerful forces, outside the governmental structure which must be reckoned with. These amorphous groups can be collectively described as "the public;" a term which infers that such an entity exists, is clearly identifiable, has specific powers and has a common purpose. As any administrator knows, the public is not that easily defined.

The public has a vested interest in prison management but rarely so perceives it. Prisons tend to receive public attention only when they become a visible public problem such as when there is rebellion or incidents of such magnitude that they cannot be contained by secrecy. But, at such times the public's focus is upon correcting the symptoms (which are mistakenly viewed as the "problem") rather than concentrating on the causes of the discontent which was manifested in the unacceptable action of the inmates.

If dealt with correctly, the administrator can capitalize on such temporary concern to infer a mandate for certain kinds of assistance (more funds, higher salaries, more staff, etc.) which he believes to be corrective of the basic problems. But, reliance on occasional support during times of crisis is neither sustaining nor consistent.

Of more concern to prison management in the day-to-day operations is the impact of the "do-gooders." Church groups have considered the prison a virgin missionary field at least since the opening of the Walnut Street Jail in the 18th century. Other organized and unorganized groups have "intruded" in the prison to bring books, sing to the inmates, provide counseling, to be a "big brother," assist in legal problems, donate clothing, or whatever. Generally, these groups or individuals minister to the perceived physical, spiritual and psychological needs of the inmates.

These "needs" may have been defined by the administration, the press, the inmates, or more often than not, by the volunteers themselves. Some have argued that the volunteer visits the jail for his own needs more than those of the person he is ostensibly serving. Whatever the motivation, these types of groups may constitute an annoyance or inconvenience by disrupting the institutional routine but they never really pose any serious threat to the administration.

The reason for this non-threat is that their concerns are focused on a single, fragmented portion of the prison and volunteers choose not to become involved in broader issues. As many administrators, volunteers argue that if they speak out against basic problems they will be excluded from the system and hence will no longer be able to "do good."

The groups which do constitute a threat to the equilibrium of the institution are civil rights activists, candidates for office, journalists and others who either have personal or organizational power and will not be diverted by being offered a chance to sing to the inmates rather than to provide basic civil rights. There is no safe way to maintain the status quo and avoid conflict with such groups. However, two approaches seem to have some merit in dealing with this problem.

The warden can neutralize the force of criticism in the same manner he can with inmates: remove the basis for complaint. If the volunteers are sincere, they will thereafter go home or devote their energies to other ventures. If the group is of a radical, activist orientation seeking not resolution but continual conflict, its outside support will dissipate as the issues become less significant. For example, an activist group can garner impressive support when opposing alleged brutality in the institution. But, if that and similar problems are eliminated, the activist may be forced to decry such "problems" as the administrator's refusal to allow pornographic materials to be sent to the inmates. However, this "issue" is not likely to foster widespread outrage or concern among the general freeworld population.

Secondly, the warden can dispell some concern of the formidable groups by being open and cooperative in responding to their inquiries. He may, in fact, be able to elicit their cooperation in joining forces with him in an effort to correct those deficiencies for which he is held accountable by the public yet fall outside the parameters of his resources or responsibilities.

The Media

One of the most powerful forces affecting the prison is the medium of communication. While journalists do not constitute a power group in the sense that they are an organized entity representing a single philosophy, they do nonetheless become a mold of thinking of those who do have power. As any warden realizes, a "bad" press can initiate investigations, affect legislators, and mobilize forces which will have an impact on the prison. Journalists are naturally inquisitive and when they encounter a phenomenon which does not readily lend itself to public scrutiny (such as the prison) they become suspicious.

A competent reporter is going to get a story of prison unrest with or without the warden's cooperation. Vendors and visitors daily visit most institutions. Prison staff go home every day. Prisoners are released or transferred frequently. Attorneys have a right of access to the inmates at any reasonable time. Through one or more of these sources the journalist can piece together a description of what happens. However, in this informal inquiry the reporter has been forced to circumvent an important source of information: the warden. Frequently, the prison administration alone has the resources to understand the total picture. While there may be reluctance to reveal negative information about the prison, in the long run his decision to be candid with reporters may prove to be the best policy.

An open press policy which is fairly and consistently administered will be to the warden's advantage. If the press are allowed access to the prison at any reasonable time, there will be, at first, a rush to report on the institution. But, the prison routine soon becomes dull and the majority of the newsmen, having been granted what they sought, no longer will seek it...unless a crisis occurs.

Secondly, the dialogue with both staff and inmates will usually provide the reporter with a better understanding of the limitations on solutions within the prison. Favorably impressed with positive efforts within the prison, the reporter will be less inclined to blow out of proportion the negative events which may occur. More balanced reporting is assured when both the good and the bad are exposed to inquiry.

As credibility is established, the prison is less likely to be cast in a bad light. But, the warden must not attempt to manage the news nor manipulate the newsmen. Such efforts will prove counter productive and the backlash may prove overwhelming.

The rationale for an open-press policy is a realization that (1) the press have power; (2) that the negative news will be discovered eventually; (3) and that the long range result will prove to be a net gain. The net result will usually be a congenial alliance between the press and the prison built on mutual respect and trust rather than suspicion. It is this alliance which may prove to be the only key to survival for a warden under attack from many quarters.

The importance of the press cannot be overstated. While it is not an action group, per se, it nonetheless constitutes the vehicle of influencing the pressure groups which can directly confront the prison administration. Hence, the press' need to know must take precedence when options are narrowed and priorities must be established. A reasonable, informed press can be the greatest asset to the correctional administrator. If he utilizes (but does not manipulate) the press, the prognosis for the success of innovations inside the prison and acceptance (if not support) from outside pressure groups will be enhanced if not assured.

EXTERNAL-INTERNAL

Climate

Probably the most significant factor in implementation of any innovation or radical departure from traditional managerial practices is the political climate within which it is to be constituted. As discussed previously, the location on the interest-apathy scale of the executive, judicial, and legislative officials will not only establish parameters to a large extent for the administrator but, will also determine the appropriate strategy of implementation.

In addition, the informal structure of diverse groups which have vested interests in various aspects of the prison, while less determinative of prison philosophy, nonetheless must be addressed and balanced against institutional goals and objectives of the official power structure.

It should be obvious that the astute administrator will recognize the power of these formal and informal pressure blocks and endeavor at best to channel this power to advance his program; or, at the least, to neutralize their individual or collective negative intervention in his plan through trade offs, compromise, or pitting one group against another. For example, if a warden is faced with a law suit

by ACLU to allow "pornography" inside the institution, it will require little persuasion to enlist the cooperation of such groups as religious orders to repel this invasion into prison administration. While these groups are busily dissipating their energies on each other, the warden can get on with the business of running the prison.

Timing

Timing is probably the most important consideration in implementing an innovation. To optimize the success potential, the point of intervention should be at the time there is a demand from the inmates and staff for this change; or, at least, an acute awareness that change would be desirable.

Furthermore, the ideal time for implementation of any innovation that appears to be a radical departure from the norm, is during a crisis. The crisis can be real or manufactured and can be an internal conflict situation or an attack on the prison community from outside. A real crisis has the advantage of providing a mandate for change. However, the kind of crisis (the issue involved) and the timing are beyond the control of the administrator and thus innovation is more difficult to implement.

The planned crisis, on the other hand, has the advantage of enabling the administrator to choose the issue to coincide with his "master plan" for change. And, of course, he is not caught by surprise and can be better prepared in advance to move forward with the latest innovation. However, the risks are substantial and can prove to be disastrous. If it is discovered that he manipulated the events to create a contrived crisis, the warden may be accused of dishonesty by staff and/or inmates, will probably lose credibility with his target group, may lose face with his superiors and risks the failure of the proposed innovation. He may also suffer a setback in his general time table and raise questions about the spontaneity of other innovations past and future.

In particular, any effort to implement participatory management by manipulation can be extremely counter productive. The nature of this innovation sets it apart from others in that it must emerge and not be imposed; it also must be perceived in that manner by staff and inmates; and, it is crucial because it forms the framework upon which all other programs must be built.

These various forces which impinge upon the warden's ability to govern should not be viewed with dismay. It is, however, important to recognize that they exist, to engage them in an intelligent straight forward manner, and in effect, to incorporate them by adequate techniques of implementation for the benefit of the institution.

MONETARY COST OF IMPLEMENTATION

One of the attractive features of establishing a participatory management model is that it requires no large amount of funds. The governor will be pleased that additional funds are not sought and legislative budget committees will not be subjected to lengthy justifications for enabling funds. This innovation does not entail additional funding as most other programs because it requires no acquisition of special equipment or capital expenditures for new facilities.

The responsibility model is an abstraction consisting of interactions based upon mutual dependency and cooperation in the context of a quasi-democratic organizational structure. The process can be enhanced through provision of minimal office equipment such as a desk, typewriter, file cabinets and duplicating machines. These items do not constitute the essence of participatory management (which can exist without these accoutrements) but, they do serve the mechanism of maintaining records of the council activities and means of communicating quickly with the prison population.

ALTERNATIVE PLANS

As in general business practices, it is wise in corrections to have developed, at least in rudimentary form, back-up contingency plans to provide for the possibility that the preferred initial plan may never become operational or later requires modification. One alternative which may arise during the discussions is the possibility of establishing a "pilot project" in one dormitory, one cottage or in one part of a larger institution. The rationale for this proposal is to test the efficacy of the idea before implementation of it institution-wide. Thus, theoretically, the risks are minimized and more knowledge will be available to support its later extension.

However, this suggestion must be avoided by the wary administrator because it can become a trap which will probably terminate the program. No political scientist would

seriously suggest the formation of a nation with two antithetical ideologies. For example, it would not be argued that a totalitarian state could tolerate or even accommodate a political subdivision which was operated on democratic principles. Similarly, the prison, as a sovereign nation, must operate by one rule of government. To establish a democratic regime in one unit of a dictatorial prison has about as much chance of survival as an ice cream cone in a furnace.

Each government constitutes a potential threat to the existence of the other because the forms of government are mutually exclusive and cannot co-exist any more than steam and ice can exist in the same environment. The melting ice may cause condensation of the steam into water but, in the process the steam will melt the ice. The end result contains the same basic ingredients but, appears in a new state (water) not resembling either of the other two (steam and ice).

Likewise, a democratic model grafted onto a traditional institution will have an effect on the rest of the prison. But, in the process, the prison will have a reciprocal effect on the participatory experiment and may neutralize it as equilibrium in the prison is once again established. While it is theoretically possible for the democratic model to become the principal one, the reality is that the dominant order is dictatorial and that it will never allow its own destruction. Consequently, the administrator must reject a partial implementation plan as being dysfunctional to his stated objective because it is a fatal flaw in design for prison change.

However, a reasonable alternative would be to implement the participatory management plan either in a small institution first, or in more than one institution simultaneously. By using a small institution, some of the "bugs" can be worked out as staff and inmates work with administrators in gaining experience at this new venture. The advantages to this proposal are that risks are minimal, the participants gain experience which will be useful in establishing the new government in other institutions and evidence to allay fears and reduce resistance will be provided in that specific system.

Another alternative is to implement the new model in a minimum instead of a maximum custody facility. While the need may be greater in the latter, it may be easier to implement in the former where custody considerations are minimal and prisoners have more freedom of movement. There are

fewer risks to the administrator in this setting because the agitator who can disrupt a council and attempt to radicalize it will probably not be found in the minimum custody facility. At least, these kinds of inmates will not appear in significantly large numbers to ensure election of a radical to the council.

Another alternative might be to begin the innovation with a female unit. However, because of our societal traditions in sex-role definition, women generally have less business experience and may feel uncomfortable in managerial roles. In fact, these "characteristics" may constitute a strong argument for encouraging women's participation in democracy.

On the other hand, the administrator may decide to choose a male institution because the process can be expedited and would affect larger numbers of the prison population. Also, his major problems probably arise from the male inmates and not the female ones. The suggestion is made not from the perspective of efforts to establish equality for women but from the warden's point of view and his pragmatic priorities for the total institution. This is not to say, of course, that such a program cannot be established simultaneously at the women's unit or at some later point in time in addition to implementation in the men's unit.

In addition to the kinds of institutional alternatives available, the element of time is also a variable. An alternative plan might be to implement the original plan but, at a different time to reduce possible interference caused by other contingencies. For example, it may be deemed more appropriate by the governor to wait until prison criticisms subside, investigations are completed or perhaps the legislature is out of session. While timing is crucial, it may be that an alternative time which is more propitious for the governor will not constitute irreparable damage to the implementation if the innovation is programmed.

The warden must have a plan for dealing with the possibility of failure. For reasons not predicted or beyond his control, the council may become destructive (as it did one time with Howard Gill's program) and the warden may be forced to step into the situation and reassert his authority. When possible, the prison government should be suspended rather than abolished. Suspension will offer some hope whereas abolition may destroy inmate and staff morale and possibly escalate into rebellion or a bloody confrontation.

If the council is suspended, the warden should specify his reasons and the length of the suspension. He may wish to suspend it only until new elections are held in order to allow recall of destructive individuals from the council. Because of some specific crisis, he may decide that it be suspended until the resolution of the problem by himself or others. Caution must be exercised in suspension of a council and this suspension should occur only as a last resort. Suspension in itself is an indication that the program has failed. Thus, it is preferable that some other mechanism such as recall petitions or removal measures are incorporated from the beginning of the council. If the system can purify itself, this will be a significant test of the system.

A hazard inherent in suspension or abolition will be the wide-spread belief that the warden "wiped it out" for his own personal motives. It may be seen as an excuse for reasserting the arbitrary control of former days. Whether the staff and inmate perceptions are correct or not is immaterial; they will react as if these perceptions are true and the warden must then deal with putting down resistance or, at least, a lack of cooperation. The destruction of morale will certainly lessen his chances of obtaining cooperation from the prison community in weathering the storm.

Hence, the warden must realize the hazards involved in termination of participatory management before he introduces it. This program is unique in that it is not the kind of program which can be switched on and off. The warden must be prepared to ride the crest of the wave and not become inundated either by the process or outside opposition. It is not a totally irreversible process because the warden still always retains at law final authority for running the institution. The problem is not so much that he will not have the capability to re-institute the traditional prison government; the real problem lies in the fact that prisoners once having tasted freedom will not again be satisfied to submit to oppression. Thus, abortive efforts at implementing participatory management, hypothetically, could result in extreme situations adversely affecting the institution.

Admittedly, it requires considerable moral courage on the part of the administrators to take these calculated risks. But, if there is sufficient support to ride out the storm the rewards will be measurable, significant and well worth the transitional difficulties. The immediate payoff is benefits to the institution in terms of reduced incidents and will greatly assist in moving the prison "off page one."

EVALUATION

Correctional fads have been the rule in prisons administration since the first prison was built. We can trace management practices through punishment, penitence, hard work, education, reformation, rehabilitation and reintegration. We have observed large prisons and small ones; bastilles and honor camps; modern and archaic. We have built half-way houses, diagnostic centers, reception centers, pre-release centers, cottages and community correctional centers. All of these have been instituted with no prior evidence that there was any valid reason for predicting any change in recidivism or behavior through these methods. Also, some research projects have demonstrated that no prison treatment program has had any effect in reducing recidivism.²

Consequently, the administrator is forced to defend any new program with arguments rather than empirical evidence. Hence, it makes sense to evaluate programs wherever possible to determine the viability of an idea before it gains large-scale acceptance in the field of penology. Thus, it could be argued that the warden has an obligation to the profession to prove (or disprove) the worth of any program under his control.

A more important reason for research to him is the simple fact that with evidence of a good program his selling job is much easier. Positive results from an evaluation of participatory management will justify implementing it elsewhere in that system or in other systems. If the results of the evaluation should prove to be negative, then a service will have been performed by demonstrating that to our colleagues.

Another use of research results, is the education of those individuals both outside and inside the system. If the research is conducted scientifically and the results warrant positive conclusions, the warden should not be hesitant in using the data for public relations purposes. While this should not be the motivation for the research, no reluctance should be demonstrated in capitalizing on this by-product.

²Martinson, Robert, "What Works? Questions and Answers About Prison Reform," The Public Interest, No. 35, New York, Spring, 1974.

While we have some clues that participatory management "works," little evaluation and no rigorous research designs ever have been utilized in the few examples which have occurred in the history of penology.³ Thus far, those who have experimented with participatory management in corrections, have done so intuitively. While there have been some overall plans and assumptions, the practices have not lent themselves to valid measurement pursuant to a research plan. Because of the importance of validating this kind of experiment, a detailed description of the evaluation component is discussed in the following section.

³Even so, the warden has better "evidence" for implementing this program than any other he may have.

PART FOUR

The Proposition

CHAPTER VII

EVALUATION COMPONENT

Purpose

The Value of the Model for Penology

The value of the responsibility model may be viewed in terms of its effects upon inmates, staff, and administration, and, ultimately, upon the public.

With respect to the impact of the model on the inmates, if the inmates have a vested interest in the structure and operation of the council (i.e., if they perceive themselves to be involved in the creation of the council and/or in making meaningful decisions within the institution), then there should be reduced tension/hostility resulting from complaints against the institution.¹ This reduced tension might be manifested in fewer escapes, fights, suicides, and other forms of institutional violence.

For the staff, there may be fewer grievances against the warden and a lower turnover rate. Both staff and inmates may be less inclined to air their grievances publicly through the press, but may be more inclined to discuss and resolve the issues among themselves.

Although perhaps the traditional hostilities between staff as "the keepers" and inmates as "the kept" may never

¹Inmates may still complain against one another on personal matters; the main purpose of the council is to lessen community tensions rather than resolve personal grudges. One hopes, however, that even personal differences might be handled in a more "rational" manner than a typical knock-down, drag-out fight.

be totally dissolved, a model which combines the efforts of both factions for their mutual benefit will go far to improve the communications and understanding between these usually adverse groups.

If the model enables both staff and inmates to approach the administration, both groups may feel more confident that their grievances will be heard by those in power. If the council provides bargaining leverage, then staff and inmates may be assured that their grievances will also be acted upon fairly.

From a managerial standpoint, the net result of improved communications and real involvement of staff and inmates in the decision-making process ideally would be a relatively quiet, smooth-running facility, with well-oiled machinery to implement changes or resolve grievances through negotiations rather than open confrontations, as often occurs.

As top administrator in the institution, the warden must be in constant touch with all aspects of the institution. With improved channels of communication, he would be more aware of possible disruptive forces in the institution with which he must deal. At his discretion, the council might meet with him more than once a month, perhaps weekly, to assure all parties involved that careful consideration is being given to matters of importance. The warden must be aware of the problems and pressures within his institution and he must communicate his sensitivity and sincere concern to those around him.

Rather than maintaining a rigid posture with respect to the council, the warden must be flexible in his strategy of implementation. For example, at some point in the evolution of the council, he may deem it appropriate and necessary to remove himself from the council and replace himself with the deputy warden. The point is that in a dynamic situation of this nature, the top administrator must recognize the importance of his own flexibility to meet the needs of the current situation. Rigidity in a head-on collision only results in shattered pieces of the once rigid structure.

Flexibility must not be confused with weakness, however. A flexible administrator must make firm, fair decisions based upon the contingencies operative and the input from all available sources at that time. With respect to the functioning of the council, it seems likely that a flexible administrator, as described herein, would be more likely than a weak administrator to gain the respect and cooperation of the council members and their constituents.

With respect to the effects of the council on the public, reactions may at first be mixed. Many, more conservative people may contend that it is inappropriate for convicted criminals to have the power to make any kinds of decisions within an institution. On the other hand, there will be those people who support the efforts of the council from the outset. In any event, if there are fewer escapes, riots, or upheavals within the prison which may potentially affect surrounding communities directly, citizens will eventually come to recognize the importance and effectiveness of the model in maintaining institutional control, and thus protecting them.

If the model does, in fact, aid in the reduction of recidivism, (indirectly, through the inmate's acquisition of a feeling of responsibility for and to himself and to others), then the public will probably also come to accept and to value the model for its potential to change the attitudes of the inmates towards themselves and others.

Multiple Time Series Design

A. Overview of the Design

Because of the nature of the evaluation to be undertaken, a classic experimental research design which employs an experimental and a control group is not possible. In such a design, participants are randomly assigned to the experimental and control groups from a pool of participants. However, in the kind of study proposed herein, staff, administrators and/or inmates cannot be so randomly assigned to the two groups. Rather, this kind of study involves an investigation of a naturally existing institution (the correctional facility) and the effects brought about by a major change in the prison management with the implementation of the institutional council. Comparisons of the effects of this kind of administrative change may be made against a similar institution in which the administrative change has not been implemented.

In order to effect an evaluation of this kind of administrative change, a quasi-experimental design which employs a comparison group, (also called a non-equivalent control group) may be used.² Just as the experimental

²Campbell, D. and Stanley, J., Experimental and Quasi-Experimental Designs for Research. Rand McNally, Chicago, 1963, pp. 37-43; pp. 47-48; pp. 55-57.

design, this quasi-experimental design basically involves measuring participants' responses on predetermined variables at specified time intervals both before and after presentation of the experimental treatment. A discontinuity in participants' responses after presentation of the treatment suggests the potential effectiveness of the treatment.

In addition, the responses of participants in the comparison group (or non-equivalent control group), who do not receive the experimental treatment, (i.e., participants in the institution which does not have the council), may be similarly monitored for some or all of the variables under consideration. The expectation is that there should be little, if any, discontinuity in the responses of the comparison group participants. Thus, the effects of the experimental treatment may be demonstrated in two ways: once against the comparison group for specified variables and once against the pre-treatment measures in the experimental group.

The diagram below illustrates the Multiple Time Series Design. In the diagram, the "X" represents the treatment (i.e., implementation of the council in one of the institutions). Each "O" represents measurements taken at specified time intervals, for example, six months, both prior to and following implementation of the model. The reason for a series of measures rather than simply a single measure before and after the model has been implemented is to provide the researcher with a firm baseline for comparison of the effects of the model. The dotted line (----) indicates the non-random assignment of participants to the two groups. Despite the possible pre-treatment variations between the groups, the series of pre-treatment measures enables the investigator to determine the extent to which the two groups may have differed before the presentation of the experimental model.³

Experimental Group:	O O O O O O X O O O O O O

Comparison Group:	O O O O O O O O O O O O O

³Ibid., p. 55.

The experimental treatment is the entire participatory management model as it affects selected managerial and personal/interpersonal variables. Thus, the experimental group is composed of the administration, (i.e., superintendent and associate superintendent); staff (i.e., line staff; psychologists; social workers or other workers of interest); and inmates in the institution in which the model is implemented.

In addition to the two ways in which the effectiveness of the model may be demonstrated, the Multiple Time Series Design affords other advantages and some disadvantages. First, this design overcomes the common sources of internal invalidity, characteristic of a great deal of research,⁴ such as history; maturation; testing; instrumentation; regression; selection; mortality; and the interactions of these variables. Since these variables affect both the experimental and the comparison groups, greater pre-post differences in measures for the experimental group as opposed to the comparison group cannot be explained by the main effects of these sources of invalidity.⁵

Secondly, because of the inclusion of a comparison group, the design eliminates confounding interactions, such as the Selection-Maturation interaction. That is, the effects which occur when these two variables occur jointly: participants might be selected differentially for the two groups and the selection differences may also entail other differences in the participants themselves, such as differences in age; growing tired; growing hungrier. If the experimental group shows a higher rate of gain than the comparison group, this differential rate of gain should be apparent in the pre-measures ("O's").⁶

There are basically two sources of invalidity which may affect the generalizability of the results. First, there may be an interaction between testing and the treatment. In other words, the series of pre-treatment measures may sensitize the participants to the experimental model. Thus, the results may be generalizable only to other pre-tested groups and thus, "unrepresentative of the effects of

⁴Ibid., pp. 55-57.

⁵Ibid., p. 48.

⁶Ibid., p. 55.

the experimental variable for the unpre-tested universe from which the experimental respondents were selected".⁷

This source of invalidity may be important for some of the variables of interest in this evaluation, such as measures of self-esteem. However, this source of invalidity will not affect other measures, such as a count of the number of escapes or strikes, because these measures are non-reactive and will not affect participants' responses to the treatment.

An additional source of external invalidity is the Selection-Maturation interaction. That is, the demonstrated effect may be applicable only to the sample selected to test it. Thus, there is the possibility that the same results may not typify correctional institutions in general, but that the "naturally aggregated exposure-group was a biased sample".⁸

An additional source of invalidity which may threaten the generalizability of the results is known as reactive arrangements.⁹ The results may be generalizable only to similar experimental settings. Experimental settings, which tend to be artificial, and the participants' realization that they are part of an experiment may influence the results.¹⁰ In addition, participants may attempt to guess the investigator's purpose in conducting the experiment and then to act in a manner commensurate or diametrically opposed to his expectations. These reactive arrangements may thus generate unrepresentative responses and may limit the effects of the treatment model to the experimental setting.

Reactive arrangements may be a particularly important limitation to the generalizability of the results because participants in the institution in which the council has been implemented may be well aware that they are involved in a unique treatment model. Thus, they may respond more to the differential treatment or to the change in the treatment process than to the council itself. However, multiple post-measures provides one way to get around this problem.

⁷Ibid., p. 6

⁸Ibid., p. 41.

⁹Ibid., p. 57.

¹⁰Ibid., p. 20.

The most dramatic changes in participants' responses would be expected to occur immediately after the model has been implemented and should taper off once the participants become used to the change in the treatment process. If the experimental group still shows consistently higher scores on response measures than the comparison group over time (i.e., perhaps after a few months time), then the effects may be more a product of the treatment itself than of the reactive arrangements surrounding the treatment. Thus, reactive arrangements should be only a minor source of external invalidity.

B. An Alternative Design

An alternative quasi-experimental design is the *expost facto* analysis. This analysis involves an effort to "simulate experimentation through a process of attempting to accomplish pre-X equation by...matching on pre-X attributes."¹¹ The hope is that by matching the experimental and comparison groups on as many pre-treatment attributes as possible, (including even obtaining measures of pre-treatment attributes during post-treatment interviews), then the two groups will be highly comparable/similar and legitimate comparisons may be made.

However, there are some serious methodological weaknesses of this design which render it unfeasible for the evaluation. First, regardless of the number of pre-treatment attributes that have been matched, there will undoubtedly be extraneous factors which have been excluded. These additional antecedent factors which have not been matched may also account for observable changes.

Secondly, undermatching may produce differential regression effects which could influence results.¹² Regression effects refer to changes in pre- to post-treatment scores in either groups which may result from the fact that one or the other of the groups has been selected on the basis of extreme scores. Thus, the scores of one or the other group may move closer to the group mean because they started out so extreme initially. Therefore, differential results may occur in either group because of regression to the mean rather than because of the experimental treatment.

¹¹Ibid., p. 70.

¹²Op. cit.

Finally, since only a certain limited number of participants will have all of the required matching factors, unavoidable shrinkage in the sample size will occur. Since matching necessarily precludes the use of a large segment of the initial sample, the number of cases employed in the analysis will be small.

In addition, legitimate generalization to other populations and/or institutions will be impossible because the matching requirements restrict the parameters defining the sample. Thus, participants in both the experimental and comparison groups will be unrepresentative of a larger universe of participants. These methodological weaknesses of the ex post facto design render it unsuitable as an alternative evaluation design.

C. Implementation of the Design

The length of the evaluation period should be a minimum of three years: one year prior to and two years following the implementation of the evaluation design. A longer period of time (i.e., five years: two years prior and three years after implementing the design), is recommended, but not crucial to obtaining some measures of the effectiveness of the participatory management model. Initial interviews should be done with administrators, staff, and inmates and any initial records research (of institutional records) should be done well in advance of the implementation of the model; perhaps a year or six months, if possible.

Additional pre-measures may be made at specified time intervals (i.e., perhaps monthly or bi-monthly) prior to the actual implementation of the model. After the implementation of the model, measures should be made at least bi-monthly for the two-year period for both the participants who remain in the institutions and those who leave the institutions. For participants who leave the institution, follow-ups should be conducted for the balance of the two-year period at six months intervals. Ideally, follow-ups should be made at 6, 12, 18, and 24 months after the participant has left the institution. However, it may be difficult to track an individual once he has been out of the institution more than a year and/or he has been released from parole supervision.

Some unavoidable problems may arise after the implementation of the design. For one thing, there may be fluctuations in the participants. Inmates may be paroled; administrators or staff may leave and be replaced. If admin-

istrators are changed, the longevity of the experimental model may be short-lived, depending upon the orientation of the new administrator.

There are two ways in which this problem may be handled. One way is to include in the evaluation analysis the data from only those participants who have remained at the institution for the entire evaluation period. However, this solution may omit a great deal of data. The other way is to track each participant for the entire duration of the evaluation. The latter solution is preferable, as it allows for analysis of all of the data obtained. The day that a participant leaves the institution becomes the first day of his first follow-up period.

An additional problem may be called "contamination". That is, staff or, more probably, inmates from either the experimental or comparison institution may be transferred to the other one. This mixing of participants from both the experimental and comparison groups may reduce the differences in pre- and post-measures. If these transfers occur, there is little that may be done to change the situation. However, the number of such transfers should be noted and the direction of the transfer (i.e., from experimental to comparison group or visa versa), and the data from these transferred participants should be earmarked and analyzed separately.

In addition to the problem of transfers, "contamination" may also result if the superintendent of the comparison institution decides that he would like to form a council in his institution, either because of inmate pressures, a directive from the central office, or his own inclination. If this situation occurs, the investigator may analyze the data from the comparison group up to the time that the superintendent decides to implement the council. After that time, a different comparison group may be sought or the concept of a comparison group may be dropped. If the evaluation is in its third year, attempting to find a new comparison group may not be worthwhile. In this case, the investigator is advised to omit the comparison group from the last phase of the evaluation. On the other hand, if the evaluation has just begun recently, the investigator may deem it appropriate to seek a new comparison group.

In order to prevent the confounding effects of transfers, the investigator may study possible comparison groups carefully, then select one which has the record of the fewest transfers. However, if transfers occur from the experimental to the comparison institution, the only recourse of

the investigator is to attempt to persuade the superintendent that the transfers should not be made. It would be interesting to note, however, whether or not the number of transfers out of the experimental institution increases or decreases after the implementation of the council.

Regardless of these unavoidable confounding factors, the evaluation should nonetheless proceed. The way in which the investigator handles any specific problems which may arise during the evaluation period will be contingent upon the intricacies of the situation at hand. Thus, the investigator should be flexible in his approach and should realize that research in real world phenomena, such as correctional institutions, involves many unforeseen circumstances which may force him to alter his methodology.

D. The Comparison Group

As suggested in a previous section, the purpose of a comparison group is to provide a group with which to compare the responses of the participants in the experimental group. The assumption is that if the responses of the participants in the experimental and comparison groups differ, the differences are due to the treatment received by participants in the experimental but not in the comparison group.

Selection of an appropriate comparison group may be difficult. However, the criteria for selecting the comparison group should involve selecting an institution which approximates the pre-treatment conditions of the experimental institution.

For states in which there is only one adult institution, for example, for women, it may be possible to employ an institution in a neighboring state as a comparison group. However, differences in such factors as sentencing, probation, or parole practices or institutional management, may attenuate the validity of results. Pre-treatment measures will determine the comparability or equivalence of the two institutions. If the two institutions vary widely in pre-treatment measures, then results and conclusions drawn from the study should be tempered with a knowledge of the differences in the environments and institutional populations.

In addition, there may be political constraints which render interstate comparisons unfeasible. Political considerations may, in fact, determine whether or not a comparison group may be used at all. While omission of the comparison group is permissible, the internal validity of the design

is severely weakened. Among other things, there may be characteristics of the participants in the experimental group that manifest themselves only after the model has been implemented.

Thus, any changes in measurements may be due to the characteristics of the participants themselves rather than to the model itself. Thus, every effort should be made to engage the cooperation and patience of political figures who may be instrumental in encouraging or discouraging implementation of the design with both experimental and comparison groups.

The comparison group is mentioned here primarily to suggest the possibilities of contrasting comparable groups and to note potential pitfalls in their selection. Moreover, there may be some variables subject to comparisons at a later time. Providing the structure of a comparison group in the initial assessment allows data collection from the beginning for future reference.

E. Variables of Interest

There are four major areas of interest to corrections personnel, each of which is composed of one or more variables. These areas include: recidivism; social stability; attitudes; and in-house behaviors. Each of these areas will be considered briefly below.

1. Recidivism

In line with the objectives of institutions to protect citizens by deterring individuals from committing future crimes, the most important variable is recidivism. By recidivism, we mean re-institutionalization for committing a new offense within one year after release from the institution.¹³ This variable may be measured by simply recording the number of participants in each group who are convicted and re-institutionalized for a new offense at specified time intervals within one year after release. If the model is more effective in regenerating offenders than a control treatment, there should be fewer recidivists among inmates in the experimental than in the comparison group, assuming comparability of groups.

¹³We have not included a technical violation of parole in this definition because parole violation does not necessarily entail commission of criminal acts for which an offender would be institutionalized.

2. Social Stability

In addition to the variable above, the inmates' adjustment on the street following release may be assessed. Social stability includes such factors as job stability (i.e., the number of jobs since release and the reasons for transfer; whether or not the ex-offender was promoted and how often; basic salary and whether or not the ex-offender received any raises and the reasons for it; and progress towards his own goal attainment).

For inmates who have families, family stability (i.e., the inmates' perceptions of his role and responsibilities in the family and behavioral indices of how well he carries out these responsibilities); and positive peer relationships (i.e., the ex-offender's descriptions of the number and kinds of people with whom he associates most frequently and the validation of this list by the people named) may also be important factors to assess.

3. Attitudes¹⁴

a. Self-Perception.

Of primary importance is an assessment of inmate's self-perceptions. While the elements of rehabilitation have never been catalogued, a person's attitude about himself is usually considered an important part of the process; inmates with confidence in themselves have a better chance of adjusting to and succeeding on the street. If inmates are given the responsibility of making decisions about the kinds of things that affect their daily lives in the institution,

¹⁴For a discussion of staff and inmates' attitudes toward one another, see later section entitled "In-House Behaviors."

Attitudes toward the criminal justice system and the community and the community's attitudes towards the experimental institution may be assessed by constructing suitable Guttman, Likert or Semantic Differential scales. For further discussion concerning attitude scale construction see Zimbardo, P., and Ebbeson, E., Influencing Attitudes and Changing Behavior, Addison Wesley Publishing Company, Reading, Mass., 1970, pp. 123-128; and Osgood, C.; Suci, G.; and Tannenbaum, P., The Measurement of Meaning, University of Illinois, Urbana, Illinois, 1957.

they may come to feel more confident in, and more positive about, themselves.¹⁵

That is, at the same time that inmates are showing others at the institution that they can act responsibly, they are also demonstrating this ability to themselves. The overall affect may be an improvement in their self-perceptions. If the institution is designed to provide the conditions wherein offenders will be given the responsibility to make decisions about the things which affect their lives there, then the self-perceptions or self-concepts of offenders following participation in the program should be more favorable than their self-perceptions (self-concepts) prior to implementation of the model. Moreover, the self-perceptions of inmates at the experimental institution should be more favorable than those of inmates at the comparison institution.

There is a wide range of measures to determine changes in the self-concept/self-esteem. For example, the Tennessee Self-Concept Scale (1969) measures a person's general self-esteem level;¹⁶ and Rosenberg's Self-Esteem Scale (1965) measures attitudes towards oneself along a dimension of favorability.¹⁷

b. Attitudes Towards the Criminal Justice System.

Staff and Inmates' attitudes towards law, justice, the correctional process and selected authority figures should be assessed. If the staff and inmates feel that they have been treated fairly during their participation in the program, these favorable reactions may generalize to other aspects of the criminal justice system and to those of authority in it (i.e., judges, police, probation officers, correctional personnel).

¹⁵The assumption here is that there is a positive correlation between an inmate's demonstration of responsibility and his self-perception. Although statistical analysis has never been done, there is historical evidence to suggest this correlation. (See Osborne, T., Society and Prisons, Yale University Press, New Haven, 1917).

¹⁶Fitts W., and Hammer, W., The Self Concept and Delinquency, Monograph I., Nashville: Nashville Mental Health Center, July, 1969.

¹⁷Rosenberg, M., Society and the Adolescent Self-Image, Princeton, New Jersey: Princeton University Press, 1965.

Moreover, if the experience at the experimental institution is more positive than that of the staff and offenders in the comparison group at another institution, then the attitudes towards the criminal justice system of staff and inmates at the experimental institution would be expected to be more positive than those of the offenders in the comparison group.

c. Attitudes Towards the Community.

The offender's perceptions of, and attitudes towards, the community may be assessed to determine how well integrated into the community they feel after participation in the project.

d. Attitudes of the Community Towards the Institution.

The attitudes of the community members and of the local law enforcement agents towards administration, staff and inmates in the experimental institution and towards the model itself should be assessed as the evaluation progresses to determine whether or not and to what extent the model has been accepted by the community.

4. In-House Behaviors

In addition to assessing the effectiveness of the institution as suggested in the preceding section, an assessment of the processes of the institution may be made.

The orientation of the model is to provide an opportunity for the offender to become an integral part of the treatment process through his participation with staff in decision-making. This orientation has two potential positive results. First, involving the offender in the treatment process gives him a more vested interest in the process. Secondly, involving both staff and inmates in the group enables them to break down the barriers that have traditionally separated correctional personnel from inmates and to solve problems to their mutual benefit.

If the staff and inmates join forces for a unified, positive goal (i.e., the successful operation of the institution), then it would seem important to determine both the extent to which they actually work together and their attitudes towards each other as they work together.

If the staff and inmates perceive that they form a cohesive group with common goals, then they would be expected to cooperate with one another as a group to reach their goals

and they would be expected to have positive attitudes towards one another. Moreover, the inmates would be expected to have positive attitudes towards one another and the staff would be expected to have positive attitudes towards other staff members.

Behavioral measures of cohesiveness include such things as: how well staff and residents work together on specific assignments; the willingness of inmates to help one another and staff; the willingness of the staff to help the inmates and other staff in problem areas.

Additional in-house behaviors which might serve as a measure of institutional control or management include the numbers of fights, riots, escapes, disciplinary reports or other incidents. If the model effectively resolves many of the common institutional problems, then there should be fewer of these incidents in the experimental than in the control institution. There should also be fewer incidents of this nature in the experimental institution following than before the implementation of the model. These figures may be obtained by careful perusal of institutional records during the specified time period. In addition, the Moos Correctional Institutions Environment Scale (1968; 1973) may be used to assess the social environment of the institution from both staff and inmates' perspectives.¹⁸

In addition to these factors, measurements of council activities and functions should be made as the council evolves. For example, council meetings should be observed to determine the extent and kinds of interpersonal interactions among councilmen, both staff and inmates, and the amount of time spent in dealing with organizational matters.

In order to determine the kinds of things discussed at council meetings, a content analysis of the minutes from each meeting should be made. One might then determine the length of time required to solve a particular problem; and the amount of time spent in discussing creature comforts or more critical topics, such as work assignments or disciplinary procedures.

¹⁸Moos, R., Correctional Institutions Environment Scale Manual, Stanford University: Stanford, California, April, 1973.

Moos, R., "The Assessment of the Social Climate of Correctional Institutions", Journal of Research in Crime and Delinquency, 5: 147-188, 1968.

The election process should be carefully monitored over time to determine the types of inmates and staff elected to office, (i.e., "head knockers" or concerned individuals), and the number or percentage of inmates and staff voting in each election.

Staff and inmates who are both a part of the council and simply at the institution should be randomly selected and interviewed periodically prior to and following the implementation of the model to determine their perceptions of the council and its effectiveness in resolving problems relating to food, housing, work assignments, rules, and recreation.

If there are any major conflicts in the institution, the manner in which the council deals with it and the acceptance of the council's intervention by staff, inmates, and administration should be assessed. If the council is perceived as a viable, credible body for communication, then, one would expect all parties to take their grievances before the council for negotiation. The extent to which the council becomes involved in and resolves conflicts should be determined, and could be considered as a measure of the council's effectiveness in dealing with a crisis.

F. Summary of the Model

The evaluation of the model may be accomplished in two ways: first, the responses of participants and comparisons of institutional records may be compared prior to and following the implementation of the model. Changes in these responses in the expected direction (e.g., more positive attitudes of inmates towards themselves and staff or administration or fewer escapes, riots or fights), provides a measure of the effectiveness of the model in improving the prison environment.

Secondly, institutional records and participants responses may be compared with those of a control group (i.e., another institution). If the model provides a more positive environment than the other treatment, then the responses of administrators, staff and/or inmates in the experimental group should exceed those of the control group in the expected direction. That is, changes in the attitudes of participants in the experimental groups towards themselves and others in that group should be more positive than changes in these attitudes of the participants in the control group. In addition, if the model reduces institutional tensions, then one

would expect to find fewer fights, riots, disturbances, escapes, or other forms of violence in the experimental than in the control group over the same time period.

G. Dependent Measures

There are two foci of this evaluation:

1. To determine the relative effectiveness of the entire experience at each institution in changing offenders' attitudes and behaviors. Differences in measures prior to and following the experiences at each institution should be compared. Thus, these dependent measures include pre-measures and post-measures.

2. To assess the attitudes and behaviors of administrators, staff, and inmates in the institution. Appropriate attitudinal and behavioral measures should be taken at specified time intervals while the inmates in the experimental group are incarcerated.

(a) Pre-Measures

Pre-measures or pre-tests are administered to all participants at the initial interviews prior to implementation of the treatment (i.e., participatory management model). The purposes of pre-measures are to determine and compare initial attitudes and behaviors of both groups and to provide a baseline against which to measure the effectiveness of the experiences of the respondents in each group in changing initial attitudes and behaviors.

(b) Post-Measures

Post-measures or post-tests are administered to all participants at specified time intervals following their release from the group to which they were assigned for the experiment. Upon release from the institution each offender should be given the initial post-tests. All participants should be monitored at specified time intervals for at least one year following release from the institution to which he was assigned for the experiment.

H. Data Analysis

Maguire and Glass¹⁹ have developed an integrated moving average model for the analysis of data for the Time Series Design based upon the work of Box and Tiao.²⁰ This approach has been used to analyze the data of other naturally occurring events. Glass²¹ used the model to analyze the data from Governor Ribicoff's move to suspend driver's licenses for speeding in order to reduce the number of traffic deaths in Connecticut in 1955-56. Glass, Tiao, and Maguire²² analyzed the data on the revision of the German divorce laws in 1900 using the model. Due to its successful use in analyzing the data of other phenomena, this model is suggested for use in analyzing the data for the evaluation of the participatory management model.²³

¹⁹Maguire, T. and Glass, G., "A Program for the Analysis of Certain Time Series Quasi-Experiments," Educational and Psychological Measurement, 27, 1967, pp. 743-750.

²⁰Box, G. and Tiao, G., "A Change in Level of Non-Stationary Time Series," Biometrika, 52, 1965, pp. 181-192.

²¹Glass, G., "Analysis of Data on the Connecticut Speeding Crack-down as a Time Series Quasi-Experiment," Law and Society Review, 3, 1968, pp. 55-76.

²²Glass, G., Tiao, G., and Maguire, T., "Analysis of Data on the 1900 Revision of the German Divorce Laws as a Time-Series Quasi-Experiment," Law and Society Review, 3, 1969.

²³Since the purpose of this study is to determine the guidelines and not the specific implementation of the participatory management models, a detailed consideration of the procedures for data analysis is not deemed appropriate herein. For a complete description of the model and data analysis procedures, see articles referred to in footnotes 14 through 17.

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CHAPTER VIII

CONCLUSIONS AND RECOMMENDATIONS

Some Observations

It has been nearly two centuries since the incarceration of criminal offenders was conceived of by our forefathers for the purpose of changing human behavior. It has been at least 150 years since the paternalistic-dictatorial-autocratic model of prison management was adopted. It has been over 50 years since the medical-sickness model of treatment was introduced into the prison.

One does not have to be a scholar nor a person blessed with particularly keen insight to deduce that if an idea has any merit 200, 150, or even 50 years should be ample time to reach its objective. There has been an abiding faith in correctional doctrine which holds that given sufficient time, ample resources (and a great deal of luck) the prison model will eventually fulfill its rehabilitative function.

However, there is abundant, irrefutable evidence that the prison has not achieved success insofar as performing the rehabilitative function. It does seem that a century or so is adequate time to demonstrate the validity of this concept. Since the evidence runs contrary to the expectations and beliefs of the proponents of the present model, there might be some value in examining the problem from another perspective.

Although possessing faith the size of mountains, traditional reformers of the prison and its inhabitants have not, thus far, been able to move the proverbial mustard seed. Yet the magnitude of reform efforts have been impressive and one is led to conclude that traditionalists are a hardy lot and are persistent in tenaciously clutching onto the undemonstrated tenets of penology with an ardent fervor.

Conclusions

1. There is a great deal of confusion and misconception about participatory management. Thus far, there has been no differentiation in the literature based upon typological categories reflecting dimensions of power or representation...or, for that matter, any other variables.

2. The prevailing assumption in penological circles that "inmate government" is a corrupting, dysfunctional modality for prison management is based almost entirely upon examples which are not participatory management in the sense discussed in this project. In most participatory models, a large number of inmates or staff have not really been involved in the process nor have they been delegated real power to make decisions affecting their lives.

3. With a few notable exceptions, inmate councils have a lot in common with Topsy...they "just grewed." They have come into existence in response to a crisis, to aid in communications or just because it seemed like a good thing to do at the time.

4. No evidence was discovered to indicate that research or evaluation have been conducted to assess the effects of participatory management on either the institutions or the participants.

5. Nonetheless, there is some evidence to indicate that there are some real, measurable positive effects resulting from involving the participants in their own destiny.

6. Finally, the "Full Participatory" model of prison management has never been implemented.

A Comment

The quest for the Holy Grail may be more significant than finding it. To dismiss Maconochie's work because he was dismissed ignores the substantial intermediate goals he achieved and makes no more sense than chastizing the Wright brothers for having invented the flying machine instead of the rocketship.

Recommendations

Based upon the current state of the art of penology, the present crisis in criminal justice and these research findings, a single recommendation is made:

A demonstration project should be implemented with an adequate research design to evaluate the impact of participatory management upon the officers, the inmates, the prison system, and the society.

APPENDIX

- A. Tables.
- B. Cover Letter.
- C. Mail Questionnaire.
- D. On-Site Questionnaire, Administration.
- E. On-Site Questionnaire, Staff/Inmates.

Table 3

CUSTODY GRADES OF INSTITUTIONS SURVEYED

Type of Institution	Male n = 67		Female n = 16		Male and Female n = 10		Total n = 93	
	Freq.	%	Freq.	%	Freq.	%	Freq.	%
Custody:								
a) Minimum	7	10.45	7	43.75	4	40.00	18	19.35
b) Medium	22	32.84	3	18.75	5	50.00	30	32.26
c) Maximum	21	31.34	1	6.25	-	--	22	23.66
d) Medium - Minimum	5	7.46	1	6.25	-	--	6	6.45
e) Maximum - Medium	4	5.97	-	--	1	10.00	5	5.38
f) Maximum - Medium - Minimum	8	11.94	4	25.00	-	--	12	12.90

Table 4

INSTITUTIONAL POSITION OF PERSON COMPLETING THE QUESTIONNAIRE

Type of Institution	Male n = 67		Female n = 16		Male and Female n = 10		Total n = 93	
	Freq.	%	Freq.	%	Freq.	%	Freq.	%
Position:								
a) Superintendent	29	43.28	5	31.25	1	10.00	35	37.63
b) Associate Superintendent	12	17.91	2	13.50	3	30.00	17	18.28
c) Administrative Assistant to the Superintendent	9	13.43	1	6.25	1	10.00	11	11.83
d) Caseworker	1	1.49	-	--	1	10.00	2	2.15
e) Educational Supervisor	7	10.46	4	25.00	1	10.00	12	12.90
f) Guard	5	7.46	2	12.50	1	10.00	8	8.60
g) Inmate	3	4.48	2	12.50	2	20.00	7	7.53
h) No Response	1	1.49	-	--	-	--	1	1.08

Table 5

THE YEARS IN WHICH COUNCILS WERE CREATED

Type of Institution	Male n = 67		Female n = 16		Male and Female n = 10		Total n = 93	
Year:	Freq.	%	Freq.	%	Freq.	%	Freq.	%
1974	2	2.99	1	6.25	1	10.00	4	4.30
1973	3	4.48	1	6.25	1	10.00	5	5.38
1972	17	25.37	4	25.00	3	30.00	24	25.81
1971	14	20.90	3	18.75	1	10.00	18	19.36
1970	9	13.43	2	12.50	1	10.00	12	12.90
1969	4	5.98	-	--	-	--	4	4.30
1968	2	2.99	1	6.25	-	--	3	3.26
1967	1	1.49	-	--	-	--	1	1.08
1965	1	1.49	-	--	-	--	1	1.08
1964	1	1.49	-	--	1	10.00	2	2.15
1962	1	1.49	-	--	1	10.00	2	2.15
1960	-	--	1	6.25	1	10.00	2	2.15
1956	1	1.49	-	--	-	--	1	1.08
1951	1	1.49	-	--	-	--	1	1.08
1950	1	1.49	1	6.25	-	--	2	2.15
1941	1	1.49	-	--	-	--	1	1.08
1927	1	1.49	-	--	-	--	1	1.08
No Response	7	10.45	2	12.50	-	--	9	9.68

Table 6

REASONS THAT COUNCILS WERE CREATED*

Type of Institution	Male n = 67		Female n = 16		Male and Female n = 10		Total n = 93	
	Freq.	%	Freq.	%	Freq.	%	Freq.	%
Reasons:								
a) To deal with inmate grievances	46	68.66	9	56.25	9	90.00	64	68.82
b) To deal with discipline of inmates	4	5.97	2	12.50	2	20.00	8	8.60
c) To classify inmates	1	1.49	-	--	1	10.00	2	2.15
d) To deal with inmates' complaints against staff	27	40.30	6	37.50	7	70.00	40	43.01
e) To deal with a crisis in the institution	26	38.81	3	18.75	8	80.00	37	39.78
f) To assist management by identifying institutional problems	57	85.07	11	68.75	10	100.00	78	83.87
g) To promote communications between staff and inmates	65	97.01	15	93.75	10	100.00	90	96.77

*Frequency and percentage totals may exceed the number of respondents and 100%, respectively, because multiple responses were allowed and given by many institutions.

Table 7

RESISTANCE TO THE INITIAL FORMATION OF THE COUNCILS

Type of Institution	Male n = 67		Female n = 16		Male and Female n = 10		Total n = 93	
	Freq.	%	Freq.	%	Freq.	%	Freq.	%
<u>Resistance:</u>								
a) Yes	20	29.85	4	25.00	5	50.00	29	31.18
b) No	45	67.16	11	68.75	4	40.00	60	64.52
c) No Response	2	2.99	1	6.25	1	10.00	4	4.30
<u>Source:*</u>	n=20		n = 4		n = 5		n=29	
a) Inmate Groups	7	35.00	1	25.00	4	80.00	12	41.38
b) Staff	17	85.00	3	75.00	5	100.00	25	86.21
c) Institutional Administration	3	15.00	1	25.00	1	20.00	5	17.24
d) Public	3	15.00	1	25.00	1	20.00	4	13.79

*Frequency and percentage totals may exceed the number of respondents and 100%, respectively, because multiple responses were allowed and given by many institutions.

Table 8

HOW INITIAL RESISTANCE WAS OVERCOME*

Type of Institution	Male n = 20		Female n = 4		Male and Female n = 5		Total n = 29	
	Freq.	%	Freq.	%	Freq.	%	Freq.	%
Method:								
a) Staff and Inmates met to discuss problems	5	20.00	1	25.00	--	--	6	20.69
b) Court Action	1	5.00	-	--	--	--	1	3.45
c) Time Passage	6	30.00	1	25.00	4	80.00	11	37.93
d) Superintendent Encouraged	1	5.00	2	50.00	--	--	3	10.35
e) No Response	7	35.00	-	--	1	20.00	8	27.58

*Frequency and percentage totals may exceed the number of respondents and 100%, respectively, because multiple responses were allowed and given by many institutions.

Table 9

WHO PARTICIPATES ON THE COUNCILS*

Type of Institution	Male n = 67		Female n = 16		Male and Female n = 10		Total n = 93	
	Freq.	%	Freq.	%	Freq.	%	Freq.	%
<u>Composition:</u>								
a) Inmates	67	100.00	16	100.00	10	100.00	93	100.00
b) Line Staff	11	16.40	3	18.75	3	30.00	17	18.28
c) Program Staff	9	13.43	5	31.25	3	30.00	17	18.28
d) Superintendent/ Administrator	30	44.78	8	50.00	4	40.00	42	45.16
e) Community Members	2	2.99	-	--	-	--	2	2.15

*Frequency and percentage totals may exceed the number of respondents and 100%, respectively, because multiple responses were allowed and given by many institutions.

Table 10

ORGANIZATIONAL POSITIONS OF THE COUNCILS

Type of Institution	Male n = 67		Female n = 16		Male and Female n = 10		Total n = 93	
	Freq.	%	Freq.	%	Freq.	%	Freq.	%
<u>Positions*</u>								
a) Chairman/ President	54	80.60	11	68.75	8	80.00	73	78.49
b) Co-Chairman/ Vice- President	30	44.78	8	50.00	7	70.00	45	48.39
c) Secretary	48	71.64	11	68.75	7	70	66	70.97
d) Treasurer	9	13.43	2	12.50	1	10.00	12	12.90
e) Sergeant- at-Arms	11	16.42	2	12.50	--	--	13	13.98
<u>Executive Council:</u>								
a) Yes	31	46.27	3	18.75	5	50.00	39	41.94
b) No	33	49.25	12	75.00	4	40.00	49	52.69
c) No Response	3	4.48	1	6.25	1	10.00	5	5.38

*Frequency and percentage totals may exceed the number of respondents and 100%, respectively, because multiple responses were allowed and given by many institutions.

Table 11

COUNCILS HAVING A FORMAL CONSTITUTION/BY-LAWS/SET OF RULES

Type of Institution	Male n = 67		Female n = 16		Male and Female n = 10		Total n = 93	
	Freq.	%	Freq.	%	Freq.	%	Freq.	%
<u>Guidelines:</u>								
a) Yes	54	80.60	11	68.75	7	70.00	72	77.42
b) No	12	17.91	5	31.25	3	30.00	20	21.51
c) No Response	1	1.49	-	--	-	--	1	1.08
<u>Source*</u>	n=54		n=11		n=7		n=22	
a) Inmate Council	29	53.20	7	63.64	2	28.57	38	52.78
b) Inmate Population as a whole	4	7.41	3	27.29	1	14.29	8	11.11
c) Staff and Inmates Jointly	31	57.41	4	36.36	6	54.54	41	56.94
d) Superintendent/ Administration	17	31.48	5	45.46	2	28.57	24	33.33
e) Department of Corrections	18	33.33	-	--	3	42.86	21	29.17
f) Used another institution's constitution as a model	1	1.85	1	9.09	-	--	2	2.78

*Frequency and percentage totals may exceed the number of respondents and 100%, respectively, because multiple responses were allowed and given by many institutions.

Table 12

HOW OFTEN COUNCILS MEET

Type of Institution	Male n = 67		Female n = 16		Male and Female n = 10		Total n = 93	
	Freq.	%	Freq.	%	Freq.	%	Freq.	%
<u>Meetings:</u>								
a) Once a week or more	30	44.88	5	31.13	3	30.00	38	40.86
b) Once a month	19	28.36	4	25.00	2	20.00	25	26.88
c) Twice a month	15	22.39	7	43.75	4	40.00	26	27.96
d) Less than once a month	1	1.49	-	--	-	--	1	1.08
e) No Response	2	2.99	-	--	1	10.00	3	3.23

Table 13

WHO MAY CONVENE THE COUNCIL*

Type of Institution	Male n = 67		Female n = 16		Male and Female n = 10		Total n = 93	
	Freq.	%	Freq.	%	Freq.	%	Freq.	%
<u>Authority:</u>								
a) Inmates	13	100.00	3	100.00	4	100.00	20	100.00
b) Staff	2	15.39	2	66.62	3	75.00	7	35.00
c) Superin- tendent	8	61.54	2	66.62	3	75.00	13	65.00

*Frequency and percentage totals may exceed the number of respondents and 100%, respectively, because multiple responses were allowed and given by many institutions.

Table 14

REGULARITY AND FREQUENCY OF COUNCIL MEETINGS WITH THE SUPERINTENDENT

Type of Institution	Male n = 67		Female n = 16		Male and Female n = 10		Total n = 93	
	Freq.	%	Freq.	%	Freq.	%	Freq.	%
<u>Regularly:</u>								
a) Yes	64	95.52	15	93.75	9	90.00	88	94.62
b) No	3	4.48	1	6.25	-	--	4	4.30
c) No Response	-	--	1	6.25	1	10.00	2	2.15
<u>Frequency:</u>	n=64		n=15		n=9		n=88	
a) Once a week or more	13	20.31	2	14.29	2	22.22	17	19.54
b) Once a month	32	50.00	7	50.00	1	11.11	40	45.98
c) Twice a month	13	20.31	6	42.86	5	55.56	24	27.59
d) Less than Once a month	6	9.38	-	--	-	--	6	6.90
e) No Response	-	--	-	--	1	11.11	1	1.08

Table 15

SELECTION OF INMATES FOR THE COUNCILS

Type of Institution	Male n = 67		Female n = 16		Male and Female n = 10		Total n = 93	
	Freq.	%	Freq.	%	Freq.	%	Freq.	%
<u>Process:</u>								
a) Elected	60	89.56	14	87.50	9	90.00	83	89.25
b) Appointed	6	8.96	2	12.50	1	10.00	9	9.68
c) No Response	1	1.49	-	--	-	--	1	1.08
<u>Method:</u>	n=60		n=14		n=9		n=83	
a) Hand Marked Ballot	56	93.33	11	78.57	9	100.00	76	91.57
b) Count of Raised Hands	3	5.00	2	14.29	-	--	5	6.02
c) Voice Vote	1	1.67	1	7.14	-	--	2	2.41
d) Voting Machine	-	--	-	--	-	--	-	--

Table 16

PERCENTAGES OF INMATES WHO VOTED IN THE MOST
RECENT ELECTION PRIOR TO JULY, 1974

Type of Institution	Male n = 60		Female n = 14		Male and Female n = 9		Total n = 83	
	Freq.	%	Freq.	%	Freq.	%	Freq.	%
<u>Percentage of Population Voting:</u>								
a) 0-50%	9	15.00	-	--	-	--	9	10.84
b) 51-74%	7	11.67	1	7.14	2	22.22	10	12.05
c) 75-99%	25	41.67	8	57.14	4	44.44	37	44.58
d) No Response	19	31.67	5	35.71	3	33.33	27	32.53

Table 17

AREAS OF INMATE REPRESENTATION ON THE COUNCILS*

Type of Institution	Male n = 67		Female n = 16		Male and Female n = 10		Total n = 93	
	Freq.	%	Freq.	%	Freq.	%	Freq.	%
<u>Areas:</u>								
a) Housing Units	45	67.16	10	62.50	9	90.00	64	68.82
b) Work Assignments	4	5.97	1	6.25	-	--	5	5.38
c) Custody Grade	2	2.99	-	--	-	--	2	2.15
d) Racial Quota	13	19.40	3	18.75	-	--	16	17.20
e) Elected-At-Large	9	13.43	2	12.50	1	10.00	12	12.90
f) Inmate Organizations	2	2.99	-	--	1	10.00	3	3.23

*Frequency and percentage totals may exceed the number of respondents and 100%, respectively, because multiple responses were allowed and given by many institutions.

Table 18

NUMBER OF INMATES ON COUNCILS

Type of Institution	Male n = 48		Female n = 8		Male and Female n = 4		Total n = 60	
	Freq.	%	Freq.	%	Freq.	%	Freq.	%
<u>Number:</u>								
4	-	--	1	12.50	-	--	1	1.67
5	9	18.75	1	12.50	-	--	10	16.67
6	3	6.25	-	--	-	--	3	5.00
8	4	8.33	2	25.00	1	25.00	7	11.67
9	1	2.08	-	--	-	--	1	1.67
10	2	4.17	1	12.50	-	--	3	5.00
11	3	6.25	-	--	-	--	3	5.00
12	5	10.42	1	12.50	-	--	6	10.00
14	2	4.17	-	--	1	25.00	3	5.00
15	2	4.17	-	--	1	25.00	3	5.00
20	3	6.25	-	--	-	--	3	5.00
21	1	2.08	-	--	-	--	1	1.67
22	-	--	1	12.50	-	--	1	1.67
23	1	2.08	-	--	-	--	1	1.67
24	2	4.17	1	12.50	-	--	3	5.00
25	1	2.08	-	--	-	--	1	1.67
26	1	2.08	-	--	-	--	1	1.67
27	1	2.08	-	--	-	--	1	1.67
28	1	2.08	-	--	-	--	1	1.67
31	1	2.08	-	--	-	--	1	1.67
36	1	2.08	-	--	-	--	1	1.67
37	1	2.08	-	--	-	--	1	1.67
38	1	2.08	-	--	-	--	1	1.67
48	2	4.17	-	--	-	--	2	3.33
90	-	--	-	--	1	25.00	1	1.67

Table 19

NUMBERS OF STAFF MEMBERS ON COUNCILS

Type of Institution	Male n = 67		Female n = 16		Male and Female n = 10		Total n = 93	
	Freq.	%	Freq.	%	Freq.	%	Freq.	%
<u>Number:</u>								
0	47	70.15	9	56.25	3	30.00	59	63.44
1	9	13.43	3	18.75	-	--	12	12.91
2	1	1.49	1	6.25	2	20.00	4	4.31
3	5	7.46	2	12.50	3	30.00	10	10.75
4	2	2.99	1	6.25	1	10.00	4	4.31
5	1	1.49	-	--	1	10.00	2	2.15
6	1	1.49	-	--	-	--	1	1.08
8	1	1.49	-	--	-	--	1	1.08

Table 20

STAFF SELECTION FOR THE COUNCILS

Type of Institution	Male n = 20		Female n = 7		Male and Female n = 7		Total n = 34	
	Freq.	%	Freq.	%	Freq.	%	Freq.	%
<u>Appointed:</u>	18	90.00	5	71.43	7	100.00	30	88.24
a) By Superintendent	17	94.44	4	80.00	5	71.43	26	86.67
b) By Virtue of Position	1	5.56	1	20.00	1	14.29	3	10.00
c) By Inmate Council	-	--	-	--	1	14.29	1	3.33
<u>Elected:</u>	2	10.00	1	14.28	-	--	3	8.82
a) By Peers	1	50.00	1	100.00	-	--	2	66.67
b) By Inmate Council	1	50.00	-	--	-	--	1	33.33
No Response	-	--	1	14.28	-	--	1	2.94

Table 21

LENGTH OF OFFICE OF STAFF MEMBERS

Type of Institution	Male n = 20		Female n = 7		Male and Female n = 7		Total n = 34	
	Freq.	%	Freq.	%	Freq.	%	Freq.	%
<u>Term:</u>								
Indefinite	15	75.00	4	57.14	4	57.14	23	67.65
12 Months	3	15.00	-	--	1	14.29	4	11.77
6 Months	1	5.00	1	14.29	-	--	2	5.89
4 Months	-	--	1	14.29	-	--	1	2.94
3 Months	1	5.00	-	--	1	14.29	2	5.89
1 Month	-	--	1	14.29	-	--	1	2.94
No Response	-	--	-	--	1	14.29	1	2.94

Table 22

LENGTH OF OFFICE OF INMATE COUNCIL MEMBERS

Type of Institution	Male n = 67		Female n = 16		Male and Female n = 10		Total n = 93	
	Freq.	%	Freq.	%	Freq.	%	Freq.	%
<u>Term:</u>								
Indefinite	10	14.93	3	18.75	4	40.00	17	18.28
32 Months	1	1.49	-	--	-	--	1	1.08
30 Months	-	--	1	6.25	-	--	1	1.08
18 Months	1	1.49	-	--	-	--	1	1.08
12 Months	18	26.87	1	6.25	1	10.00	20	21.56
8 Months	1	1.49	-	--	-	--	1	1.08
6 Months	25	37.31	5	31.25	3	30.00	33	35.47
4 Months	3	4.48	2	12.50	-	--	5	5.37
3 Months	1	1.49	1	6.25	2	20.00	4	4.30
2 Months	1	1.49	-	--	-	--	1	1.08
1 Month	2	2.99	1	6.25	-	--	3	3.23
No Response	4	5.97	2	12.50	-	--	6	6.45

Table 23

COUNCIL MEMBERS' RE-SELECTION

Type of Institution	Male n = 67		Female n = 16		Male and Female n = 10		Total n = 93	
	Freq.	%	Freq.	%	Freq.	%	Freq.	%
<u>Possibility of Re-Selection:</u>								
a) Yes	43	64.18	10	62.50	9	90.00	62	66.67
b) No	20	29.85	4	25.00	1	10.00	25	26.88
c) No Response	4	5.97	2	12.50	-	--	6	6.45

Table 24

CRITERIA FOR ELIGIBILITY TO SERVE ON THE COUNCIL

Type of Institution	Male n = 67		Female n = 16		Male and Female n = 10		Total n = 93	
	Freq.	%	Freq.	%	Freq.	%	Freq.	%
<u>For Inmates*:</u>								
a) Custody Grade	8	11.94	3	18.75	1	10.00	12	12.90
b) Length of Time Before Release	19	28.36	4	25.00	2	20.00	25	26.88
c) Educational Level	2	2.99	-	--	-	--	2	2.15
d) Conduct/Discipline Record	28	41.79	9	56.25	3	30.00	40	43.01
<u>For Staff:</u>	n=20		n=7		n=7		n=34	
a) Staff position	13	43.33	4	57.14	3	42.86	20	58.82
b) Other	4	20.00	1	14.29	2	28.57	7	20.59
c) No Response	3	15.00	2	28.57	2	28.57	7	20.59

*Frequency and percentage totals may exceed the number of respondents and 100%, respectively, because multiple responses were allowed and given by many institutions.

Table 25

PROVISIONS FOR REMOVAL OF COUNCIL MEMBERS

Type of Institution	Male n = 67		Female n = 16		Male and Female n = 10		Total n = 93	
	Freq.	%	Freq.	%	Freq.	%	Freq.	%
<u>Removal Provisions*</u> :								
a) Yes	45	67.16	14	87.50	7	70.00	66	70.97
b) No	19	28.36	2	12.50	2	20.00	23	24.73
c) No Response	3	4.48	-	--	1	10.00	4	4.30

*May refer to either staff or inmates.

Table 26

COUNCIL VOTING AND VETO POWER

Type of Institution	Male n = 67		Female n = 16		Male and Female n = 10		Total n = 93	
	Freq.	%	Freq.	%	Freq.	%	Freq.	%
<u>Members' Votes Equal:</u>								
a) Yes	63	94.03	15	93.75	10	100.00	88	94.62
b) No	1	1.49	-	--	-	--	1	1.08
c) No Response	3	4.48	1	6.25	-	--	4	4.30
<u>Power to Veto:</u>								
a) Yes	59	88.06	15	93.75	8	80.00	82	88.17
b) No	5	7.46	1	6.25	1	10.00	7	7.53
c) No Response	3	4.48	-	--	1	10.00	4	4.30
<u>Veto Authority:</u>	n=59		n=15		n=8		n=82	
a) By Superintendent	58	98.30	12	80.00	8	100.00	78	95.12
b) By Managing Officer	-	--	1	6.67	-	--	1	1.22
c) No Response	1	1.70	2	13.33	-	--	3	3.66

Table 27

RESPONDENTS' PERCEPTION OF COUNCILS' ROLE IN INSTITUTION*

Type of Institution	Male n = 67		Female n = 16		Male and Female n = 10		Total n = 93	
	Freq.	%	Freq.	%	Freq.	%	Freq.	%
<u>Councils' Role:</u>								
a) As a communication liaison between inmates and administration	63	94.03	15	93.79	10	100.00	88	94.62
b) As an advisory body; to make recommendations to the administration	61	91.04	12	75.00	9	90.00	82	88.17
c) As an inmate grievance committee	34	50.75	13	8.25	7	70.00	54	58.06
d) As a decision-making body	12	17.91	4	25.00	4	40.00	20	21.51

*Frequency and percentage totals may exceed the number of respondents and 100%, respectively, because multiple responses were allowed and given by many institutions.

Table 28

COUNCIL MEMBERS' PRESUMED PERCEPTIONS
OF COUNCILS' ROLE IN INSTITUTIONS*

Type of Institution	Male n = 67		Female n = 16		Male and Female n = 10		Total n = 93	
	Freq.	%	Freq.	%	Freq.	%	Freq.	%
<u>Councils' Role:</u>								
a) As a communication liaison between inmates and administration	58	86.57	13	8.25	10	100.00	81	87.10
b) As an advisory body; to make recommendations to the administration	54	80.60	12	75.00	9	90.00	75	80.66
c) As an inmate grievance committee	42	62.69	12	75.00	7	70.00	61	65.59
d) As a decisions-making body	16	23.88	1	6.25	4	40.00	21	22.58

*Frequency and percentage totals may exceed the number of respondents and 100%, respectively, because multiple responses were allowed and given by many institutions.

Table 29

AREAS IN WHICH COUNCIL MAKES DECISIONS*

Type of Institution	Male n = 67		Female n = 16		Male and Female n = 10		Total n = 93	
	Freq.	%	Freq.	%	Freq.	%	Freq.	%
<u>Areas:</u>								
a) Classification	1	1.49	-	--	1	10.00	2	2.15
b) Disciplinary procedures	3	4.48	3	18.75	2	20.00	8	8.60
c) Work Assignments	-	--	1	6.25	1	10.00	2	2.15
d) Food	4	5.97	2	12.50	1	10.00	7	7.53
e) Recreation	8	11.94	3	18.75	2	20.00	13	13.98
f) Housing	4	5.97	2	12.50	1	10.00	7	7.53
g) Council is advisory only; makes no decisions concerning management of the institution	42	62.68	10	62.50	7	70.00	59	63.44

*Frequency and percentage totals may exceed the number of respondents and 100%, respectively, because multiple responses were allowed and given by many institutions.

Table 30

COUNCIL ATTEMPTS TO LEARN WHAT PROBLEMS THE
OTHER INMATES WANT THEM TO DISCUSS WITH THE
SUPERINTENDENT AND TO COMMUNICATE RESULTS TO INMATES

Type of Institution	Male n = 67		Female n = 16		Male and Female n = 10		Total n = 93	
	Freq.	%	Freq.	%	Freq.	%	Freq.	%
<u>Attempts to Learn Problems:</u>								
a) Yes	63	94.09	15	93.75	10	100.00	88	94.62
b) No	1	1.49	-	--	--	--	1	1.08
c) No Response	3	4.48	1	6.25	--	--	4	4.30
<u>Methods to Communicate Results:*</u>								
a) Council meets regularly with the inmate body as a whole	13	19.40	5	31.25	2	20.00	20	21.51
b) Council meets regularly with groups of in- mates	19	28.36	8	50.00	7	70.00	34	36.56
c) Notices on bull- etin boards	47	70.15	8	50.00	4	40.00	59	63.44
d) Articles in in- mate newspaper	27	40.30	1	6.25	4	40.00	32	34.41
e) Memos distrib- uted to inmates	31	46.27	6	37.50	6	60.00	43	46.24

*Frequency and percentage totals may exceed the number of respondents and 100%, respectively, because multiple responses were allowed and given by many institutions.

Table 31

CHANGES IN THE INSTITUTION AS A FUNCTION OF THE COUNCIL

Type of Institution	Male n = 67		Female n = 16		Male and Female n = 10		Total n = 93	
	Freq.	%	Freq.	%	Freq.	%	Freq.	%
<u>Changes:</u>								
a) Yes	16	91.04	12	75.00	9	90.00	82	88.17
b) No	4	5.97	1	6.25	-	--	5	5.38
c) No Response	2	2.99	3	18.75	1	10.00	6	6.45
<u>Types:</u>	n=61		n=12		n = 9		n=82	
a) Creature Comforts	50	81.97	10	83.33	7	77.78	67	81.71
b) Management Problems	7	11.48	2	16.67	2	22.22	11	13.42
c) No Response	4	6.56	-	--	-	--	4	4.88

Table 32

COUNCIL CONTINUATIONS,
SUSPENSIONS, REINSTATEMENTS

Type of Institution	Male n = 67		Female n = 16		Male and Female n = 10		Total n = 93	
	Freq.	%	Freq.	%	Freq.	%	Freq.	%
<u>Continuation Plans:</u>								
a) Yes	51	76.12	13	81.25	8	80.00	72	77.42
b) No	2	2.99	--	--	--	--	2	2.15
c) No Response	14	20.90	3	18.75	2	20.00	19	20.43
<u>Suspension:</u>								
a) Yes	15	22.39	4	25.00	2	20.00	21	22.58
b) No	49	73.13	11	68.75	7	70.00	67	72.04
c) No Response	3	4.48	1	6.25	1	10.00	5	5.38
<u>Reinstatement Plans:</u>	n=15		n = 4		n = 2		n=21	
a) Yes	8	53.38	2	50.00	-	--	10	47.62
b) No	2	13.33	-	--	-	--	2	9.52
c) No Response	5	33.33	2	50.00	2	100.00	9	42.86

Table 33

PLANS TO CHANGE THE STRUCTURE
OR FUNCTIONS OF THE COUNCIL

Type of Institution	Male n = 67		Female n = 16		Male and Female n = 10		Total n = 93	
	Freq.	%	Freq.	%	Freq.	%	Freq.	%
<u>Structure/ Function Change Planned:</u>								
a) Yes	10	14.93	2	12.50	1	10.00	13	13.98
b) No	43	64.18	8	50.00	5	50.00	56	60.22
c) No Response	14	20.90	6	37.50	4	40.00	24	25.81

APPENDIX B

The Murton Foundation for Criminal Justice, Inc.
314 Social Sciences Building
University of Minnesota
Minneapolis, Minnesota 55455

July 1, 1974

Dear Superintendent:

The Murton Foundation for Criminal Justice, Inc. has been awarded a grant to study inmate councils in adult correctional institutions in the United States. The purpose of this project is to identify the different kinds of councils, describe their functions, determine how they are organized and assess their impact on the operation of the institution.

We are aware that many institutions have inmate participation on committees which deal with grievances, recreation and other matters. There are also a few prisoner unions and other advisory groups which focus on particular aspects of institutional management. However, such activities are not the object of this study. Rather, this inquiry is directed toward councils which represent the general population and not special interest groups.

In order to complete our study, we would greatly appreciate your cooperation in filling out the attached questionnaire and returning it to us in the enclosed self-addressed, stamped envelope. If your institution had a council at one time but does not now, please respond to the questionnaire anyway.

Because we are only interested in a description of the functioning of inmate councils in general, your responses will remain confidential. That is, information provided in any reports will not be identified with a specific institution.

Very often, participants in surveys do not receive a copy of the results. However, since you are taking the time to participate, we would like to share this information with your agency. On the last page of the questionnaire, a space is provided to indicate to whom you would like the results of the survey sent.

We would like to take this opportunity to thank you in advance for your participation and cooperation. If you have any questions regarding the survey, please do not hesitate to contact us.

Sincerely yours,

Tom Murton, President

APPENDIX C

(Respondent's Code No.)

QUESTIONNAIRE ON INMATE COUNCILS *

NOTE: Because of the different terms used to describe the incarcerated offender (inmate, prisoner, convict, resident, client, etc), for purposes of clarity and uniformity we have arbitrarily selected the word "inmate" for use in this questionnaire. (On page 8 additional space for answers will be found.)

1. Inmates in this institution are:
 - ☐ a. Exclusively male. Number of male inmates:
 - ☐ b. Exclusively female.
 - ☐ c. Both male and female. Number of female inmates:
2. What is the custody grade of the institution?
3. What is the average daily institutional count?
4. What is the average length of stay in the institution?
5. Please indicate the position (title) of the person completing this questionnaire. (Personnel classification)
6. When was the inmate council created?
7. Why was the inmate council created? (Check as many as apply.)
 - ☐ a. To deal with inmate grievances.
 - ☐ b. To deal with discipline of inmates.
 - ☐ c. To classify inmates for job assignments.
 - ☐ d. To deal with inmates' complaints against staff.
 - ☐ e. To deal with a crisis in the institution.
 - ☐ f. To assist management by identifying institutional problems.
 - ☐ g. To promote communication between staff and inmates.
 - ☐ h. Other (Please specify)

*For purposes of this report, pages of the questionnaire have been condensed.

8. Who comprises the council? (Check as many as apply.)
- ☐ a. Inmates.
 - ☐ b. Line staff.
 - ☐ c. Program staff (counselors, case workers, psychologists, doctor, chaplain, educator).
 - ☐ d. Superintendent/Administrator.
 - ☐ e. Other (please specify) _____
9. How often does the council meet?
- ☐ a. Once a week or more
 - ☐ b. Once a month.
 - ☐ c. Twice a month.
 - ☐ d. Less than once a month.
10. If the council does not meet regularly, when is the council convened? (Check as many as apply.)
- ☐ a. At the request of the inmates.
 - ☐ b. At the request of the staff.
 - ☐ c. At the request of the Superintendent.
 - ☐ d. Other, please specify _____
11. Does the council meet regularly with the Superintendent or his representative?
- ☐ Yes ☐ No (If "No," please skip to question 13)
12. If "Yes," how often?
- ☐ a. Once a week or more.
 - ☐ b. Once a month.
 - ☐ c. Twice a month
 - ☐ d. Less than once a month.
13. How are activities of the council communicated to the other inmates? (Check as many as apply)
- ☐ a. The council meets regularly with the inmate body as a group.
 - ☐ b. The council meets regularly with groups of inmates.
 - ☐ c. Through notices on the bulletin boards.
 - ☐ d. Through articles printed in the inmate newspaper.
 - ☐ e. Through memos distributed to inmates.
14. Please list the organizational positions on the council (e.g., Chairman, President, Secretary, etc.).
15. Is an Executive Council elected by the main council? ☐ Yes ☐ No
(If "No," please skip to question 19.)
16. If "Yes," how? Please describe the procedure.
17. What are the duties/functions of the Executive Council?

18. Which organizational positions of the main council (listed in 14) are represented on the Executive Council?
19. How are inmate council members selected?
- ___ a. Elected. ___ b. Appointed.
20. If the council members are elected, how is the election conducted? (check one)
- ___ a. Voice vote. ___ d. Count of raised hands.
 ___ b. Voting machine. ___ e. Other (please specify)
 ___ c. Hand marked ballot. _____
21. About what percentage of the inmate population voted in the last election (if known)? _____
22. How many inmates are selected for the council from each of the following areas of representation?
- ___ a. Housing Units ___ d. Racial quota.
 ___ b. Work assignments. ___ e. Other (please specify):
 ___ c. Custody grade. _____
23. How many staff are selected for the council? _____
24. If staff are members of the council, how are they selected?
- ___ a. Elected. How? _____
 ___ b. Appointed. By whom? (Personnel position) _____
25. If staff are members of the council, what is the length of term of office for a staff member? _____
26. How often are the inmate members of the council regularly elected/appointed? _____
27. May a council member be re-elected/re-appointed to succeed himself?
- ___ Yes ___ No
28. Do all members have an equal vote on the council? ___ Yes ___ No
29. Does anyone have the authority to veto the actions/decisions of the council? ___ Yes ___ No
30. If "Yes," who has the authority? (personnel position) _____
31. If "No," please explain. _____

32. What are the criteria for eligibility for election/appointment to the council? (Check as many as apply.)
- A. For inmates:
- ☐ a. Custody grade.
 - ☐ b. Length of time before release.
 - ☐ c. Educational level.
 - ☐ d. Conduct/discipline record.
 - ☐ e. Other (please specify) _____
- B. For staff (if applicable):
- ☐ a. Staff position
 - ☐ b. Other (please specify)
33. Are there provisions for the removal of council members other than through the regular election/appointment procedures? ☐ Yes ☐ No
(If "No," please skip to question 35)
34. If "Yes," please describe the provisions for removal of council members: _____
35. Is there a formal constitution/by-laws/set of rules which govern the operation of the council? ☐ Yes ☐ No
(If "No," please skip to question 37)
36. If "Yes," how were the guidelines drawn up? (Check as many as apply)
- ☐ a. By the inmate council.
 - ☐ b. By the inmate population as a whole.
 - ☐ c. By the staff and inmates jointly.
 - ☐ d. By the superintendent/administration.
 - ☐ e. By the Department of Corrections.
 - ☐ f. Other (please specify) _____
37. How do you see the role of the council in the institution?
(Check as many as apply.)
- ☐ a. As a communication liaison between the inmates and the administration.
 - ☐ b. As an advisory body; to make recommendations to the administration.
 - ☐ c. As an inmate grievance committee.
 - ☐ d. As a decision-making body.
 - ☐ e. Other (please specify) _____

38. How do the council members see the role of the council in the institution? (Check as many as apply.)
- ☐ a. As a communication liaison between the inmates and the administration.
 - ☐ b. As an advisory body; to make recommendations to the administration.
 - ☐ c. As an inmate grievance committee.
 - ☐ d. As a decision-making body.
 - ☐ e. Other (please specify) _____
39. If you see the council as a decision-making body, in what areas are decisions made? (Check as many as apply.)
- ☐ a. Classification of inmates.
 - ☐ b. Disciplinary procedures.
 - ☐ c. Work assignments.
 - ☐ d. Food.
 - ☐ e. Recreation.
 - ☐ f. Housing.
 - ☐ g. Council is advisory only; makes no decisions concerning management of the institution.
 - ☐ h. Other (please specify) _____
40. Does the council make an effort to learn what problems other inmates want them to discuss with the Superintendent? ☐ Yes ☐ No
41. Have there been any changes in the institution which are a direct result of actions/recommendations made by the council?
☐ Yes ☐ No (If "No," please skip to question 43)
42. If "Yes," please indicate the particular changes that have occurred:
43. Has the council ever been suspended/discontinued? ☐ Yes ☐ No
 (If "No," please skip to question 45)
44. If "Yes," please indicate the reasons that the council was suspended/discontinued. _____
45. If the council has been suspended/discontinued, are there any current plans to reinstate it? ☐ Yes ☐ No
46. If the council will be reinstated, please describe how the new council will differ in organization/implementation from the previous council. _____
47. Is the council going to be continued? ☐ Yes ☐ No
 (If "Yes," please skip to question 49)
48. If "No," please indicate the reasons that the council is not going to be continued. _____

49. Was there any resistance to the initial formation of the council?
___ Yes ___ No (If "No," please skip to question 54)
50. If "Yes," from what sources was the resistance to the council?
(Check as many as apply.)
- ___ a. From inmate groups. ___ d. From the public.
___ b. From staff. ___ e. Other (please specify)
___ c. From the institutional administration.
51. Please describe briefly how the initial resistance to the council was overcome? _____
52. Are there any plans to make changes in the structure or functions of the council at this time? ___ Yes ___ No
53. If "Yes," please describe briefly the changes that will be made.
54. Please indicate to whom you would like the results of this survey sent. (Include both name and address) _____
55. Please add any additional comments about the questionnaire below. If remarks are in response to a specific question, please state the number along with your answer.

THANK YOU VERY MUCH FOR YOUR PARTICIPATION.

APPENDIX D

ON-SITE INTERVIEWS*

Interviewer Initials: _____ Institution: _____
Date of Interview: _____ Interviewee Position: Administrator

I. INTEREST IN COUNCIL

- [illegible]

II. COUNCIL ACTIVITIES

6. What issues (if any) does the council deal with? (Circle one or more).
- | | | | |
|--------------|------------|----------------|-------|
| Housekeeping | Recreation | Classification | |
| Discipline | Food | Housing | Other |
7. How are you involved in the decision-making process of the council?
8. Do you feel that the council should have been created?
___ Yes ___ No Why?
9. If the council deals with individual complaints, ask: Did you/ have you ever brought a grievance to the council? ___ Yes ___ No
10. If "Yes," what was the complaint about?
11. If "Yes," how did the council handle the complaint?

* For purposes of this report, pages of the questionnaire have been condensed.

- ### III. DEMOGRAPHIC DATA

- 218.

IV. COUNCIL EFFECTIVENESS

26. How much do council decisions/recommendations influence the inmates in this institution? (circle one)

1	2	3	4
Not at all	Very little	Somewhat	A great deal

27. How/In what way(s) do council decisions influence the inmates in this institution?

28. How much do council decisions influence the staff in this institution? (circle one)

1	2	3	4
Not at all	Very little	Somewhat	A great deal

29. How/In what way(s) do council decisions influence the staff in this institution?

30. How much do council decisions influence the administrators in this institution? (circle one)

1	2	3	4
Not at all	Very little	Somewhat	A great deal

31. How/In what way(s) do council decisions/recommendations influence the administrators of this institution?

32. Have there been any changes in the institution which are a direct result of actions/recommendations made by the council? Yes No
(If "Yes," please indicate the particular changes that have occurred)

33. How much do you feel that the creation of the inmate council has improved relationships among inmates?

1	2	3	4
Not at all	Very little	Somewhat	A great deal

Comments:

34. How much do you feel that the creation of the inmate council has improved relationships between staff and inmates?

1	2	3	4
Not at all	Very little	Somewhat	A great deal

Comments:

35. How much do you feel that the creation of the council has improved relationships between the administration and the inmates?

1	2	3	4
Not at all	Very little	Somewhat	A great deal

Comments:

36. How much do you feel that the creation of the council has improved relationships among staff members?

1	2	3	4
Not at all	Very little	Somewhat	A great deal

Comments:

37. Since the creation of the council, has there been any reduction/increase in tension/hostility in the institution?
___ Reduction ___ Increase ___ No change
38. If there has been an increase in tension/hostility, what has the council done to alleviate this increase in tension/hostility?
39. What kinds/types of inmates are elected to the council?
(demographic data?)
40. What kinds/types of staff members are associated with/elected to the council? (demographic data?)
41. By whom are council decisions enforced? (Check as many as apply)
- | | |
|-------------------------------------|--------------------------------|
| ___ a. By the Superintendent. | ___ e. By a selected group of |
| ___ b. By the Council itself. | inmates other than the |
| ___ c. By the Staff members. | inmate council. |
| ___ d. By the inmate body | ___ f. The council's decisions |
| as a whole. | are not enforced. |
| ___ g. Other, please specify: _____ | |
42. Do you think the staff should play a greater/lesser role in the council? ___ Greater ___ Lesser ___ Stay the same
43. Why?
44. What role does the administrator play in the council.
45. Do you think the administration should play a greater/lesser role in the council? ___ Greater ___ Lesser ___ Stay the same
46. Why?
47. Do you see any way(s) in which the council might be improved?
___ Yes ___ No
48. If "Yes," in what way(s) might the council be improved?
49. Do you have any additional observations/comments about the inmate council in this institution?

APPENDIX E

ON-SITE INTERVIEWS*

Interviewer Initials: _____ Institution _____
Date of Interview: _____ Interviewee Position: Inmate Staff _____

I. INTEREST IN COUNCIL

1. What is your role in the council? (Check as many as apply)
 - ___ a. I do not participate/am not involved with the council.
 - ___ b. Am Now a council member. For how long? Position held, if any?
 - ___ c. Was council member. How Long ago? Position held, if any?
 - ___ d. Advisor to council.
 - ___ e. Attend council meetings to observe; do not vote at council meetings.
 - ___ f. Usually vote in elections for council members.
 - ___ g. Was candidate for council member, but was defeated.
 - ___ h. Comments _____
2. For how long have you participated in/been involved with the council?
3. Why did you first participate in/get involved with the council?
(Check as many as apply)
 - ___ a. Was elected to the council.
 - ___ b. Curious about council.
 - ___ c. Required to participate. By whom? Inmates _____ Staff _____
Administration _____ Dept of Corrections _____
Other, please specify _____
 - ___ d. Am interested in politics generally.
 - ___ e. Am interested in improving the institution; thought council would help.
 - ___ f. Wanted to get involved/associated with some institutional program.
 - ___ g. Would look good on my record.
 - ___ h. Pass time away.
 - ___ i. Comments _____
4. About how often do you attend council meetings (circle one)

1	2	3	4	5
Never	Rarely	Sometimes	Often	Always

*For purposes of this report, the pages of the questionnaire have been condensed.

5. How often do you talk with individual council members about council matters?

1	2	3	4	5
Never	Rarely	Sometimes	Often	Always

6. What role does the staff play in the council?

7. About how many of the inmate population voted in the last election (if known)?

1	2	3	4	5
None	About 1/4 of the inmates	About 1/2 of the inmates	About 3/4 of the inmates	All

II. COUNCIL STRUCTURE

8. To your knowledge, why was the inmate council created? (Check as many as apply)

☐ a. To deal with inmate grievances.
☐ b. To deal with discipline of inmates.
☐ c. To classify inmates for job assignments.
☐ d. To deal with inmates' complaints against staff.
☐ e. To deal with a crisis in the institution.
☐ f. To assist management by identifying institutional problems.
☐ g. To promote communication between staff and inmates.
☐ h. Comments _____

9. Does the council meet regularly with the superintendent or his representative? ☐ Yes ☐ No

10. If "Yes," how often? ☐ a. Once a week or more.
☐ b. Once a month.
☐ c. Twice a month.
☐ d. Less than once a month.

11. How are the actions of the council communicated to the other inmates? (Check as many as apply)

☐ a. The council meets regularly with the inmate body.
☐ b. The council meets regularly with groups of inmates.
☐ c. Through notices/minutes of meetings posted on bulletin boards.
☐ d. Through articles printed in inmate newspaper.
☐ e. Through memos distributed to each inmate.
☐ f. Comments _____

12. Do all council members have an equal vote on the council?
☐ Yes ☐ No.

13. Does anyone have the authority to veto the actions/decisions of the council? ☐ Yes ☐ No
14. If "Yes," who has the authority? (Personnel position) _____
15. If "No," please explain _____
16. What are the criteria for eligibility for election/appointment to the council? (Check as many as apply)
- A. For inmates: ☐ a. Custody grade.
 ☐ b. Length of time before release.
 ☐ c. Educational level.
 ☐ d. Conduct/discipline record.
 ☐ e. Comments _____
- B. For staff: ☐ a. Staff position
 ☐ b. Other, please specify _____
17. Does the council make an effort to learn what problems other inmates want them to discuss with the Superintendent? ☐ Yes ☐ No

III. COUNCIL ACTIVITIES

18. How do you see the role of the council in the institution?
 (Check as many as apply)
- ☐ a. As a communication liaison between the inmates and the administration.
☐ b. As an advisory body; to make recommendations to the administration.
☐ c. As an inmate grievance committee.
☐ d. As a decision-making body.
☐ e. Comments _____
19. If you see the council as a decision-making body, in what areas are the decisions made? (Check as many as apply)
- ☐ a. Classification of inmates
☐ b. Disciplinary procedures.
☐ c. Work assignments.
☐ d. Food.
☐ e. Recreation.
☐ f. Housing.
☐ g. Council is advisory only; makes no decisions concerning management of the institution.
☐ h. Comments _____

20. If the council is advisory only, in what areas are recommendations made? (Check as many as apply)

- | | |
|--|---|
| ☐ a. Classification of inmates. | ☐ d. Food. |
| ☐ b. Disciplinary procedures. | ☐ e. Recreation. |
| ☐ c. Work assignments. | ☐ f. Housing. |
| ☐ g. Comments _____ | |

21. About how much time passes between the time that the council makes a decision/recommendation and the time that the decision/recommendation is implemented? (Check one)

- | | |
|---|---|
| ☐ a. Depends on the type of decision. Please explain _____ | |
| ☐ b. Less than a week. | |
| ☐ c. 7 - 14 days. | ☐ e. 22 - 28 days. |
| ☐ d. 15 - 21 days. | ☐ f. more than 28 days (4 weeks) |

22. Is there any resistance to the initial formation of the council?

- ☐ Yes ☐ No ☐ Not Applicable.
(If "No," please skip to question 25)

23. If "Yes, from what sources was the resistance to the council? (Check as many as apply)

- | | |
|--|--|
| ☐ a. From inmate groups. | ☐ d. From the public. |
| ☐ b. From staff. | ☐ e. Comment _____ |
| ☐ c. From the institutional administration. | |

24. Please describe briefly how the initial resistance to the council was overcome?

25. If the respondent was present at the time of the creation of the council, how did you feel about the creation of the council? (Be careful with this question; may have to see how interviewee is responding; do not threaten him.)

26. If the council deals with individual problems/complaints, ask:
Have you ever filed a complaint with the council? ☐ Yes ☐ No

27. If "Yes," what was the complaint about?

28. If "Yes," how did the council handle the complaint?

29. If "Yes," how satisfied were you with the outcome of the complaint?

- | | | | |
|-------------------|--------------|-----------|----------------|
| 1 | 2 | 3 | 4 |
| Very Dissatisfied | Dissatisfied | Satisfied | Very Satisfied |

Comment _____

30. Has a complaint ever been filed with the council against you?
 ___ Yes ___ No
31. If "Yes," what was the complaint about?
32. If "Yes," how was the complaint handled by the council?
33. If "Yes," how fair was the council's decision about the complaint?
 1 2 3 4
 Very Unfair Unfair Fair Very Fair

Comments: _____

34. Who controls the decision-making process in council meetings?
 Council decisions are made by: (Check as many as apply)
- ___ a. Majority vote of all council members.
 ___ b. Council officers.
 ___ c. Administration.
 ___ d. Staff
 ___ e. Comments _____

IV. COUNCIL EFFECTIVENESS

35. How much do council decisions/recommendations influence the inmates in this institution? (Circle one)
 1 2 3 4
 Not at all Very Little Somewhat A great deal
36. How/In what way(s) do council decisions influence the inmates in this institution?
37. How much do council decisions influence the staff in this institution? (Circle one)
 1 2 3 4
 Not at all Very Little Somewhat A great deal
38. How/In what way(s) do council decisions influence the staff in this institution.
39. How much do council decisions influence the administrators in this institution? (Circle one)
 1 2 3 4
 Not at all Very Little Somewhat A great deal
40. How/In what way(s) do council decisions/recommendations influence the administrators of this institution.

41. Have there been any changes in the institution which are a direct result of actions/recommendations made by the council?

☐ Yes ☐ No (If "Yes," please indicate the particular changes that have occurred)

42. How much do you feel that the creation of the inmate council has improved relationships among inmates?

1	2	3	4
Not at all	Very little	Somewhat	A great deal

Comments:

43. How much do you feel that the creation of the inmate council has improved relationships between staff and inmates?

1	2	3	4
Not at all	Very little	Somewhat	A great deal

Comments:

44. How much do you feel that the creation of the council has improved relationships between the administration and the inmates?

1	2	3	4
Not at all	Very little	Somewhat	A great deal

Comments:

45. How much do you feel that the creation of the council has improved relationships among staff members?

1	2	3	4
Not at all	Very little	Somewhat	A great deal

Comments:

46. Since the creation of the council, has there been any reduction/increase in tension/hostility in the institution?

☐ Reduction ☐ Increase ☐ No change

47. If there has been an increase in tension/hostility, what has the council done to alleviate this increase in tension/hostility?

48. What kinds/types of inmates are elected to the council?
(demographic data?)

49. What kinds/types of staff members are associated with/elected to the council? (demographic data?)

50. By whom are council decisions enforced? (Check as many as apply)

- ☐ a. By the Superintendent. ☐ e. By a selected group of inmates other than the inmate council.
☐ b. By the Council itself.
☐ c. By the Staff members.
☐ d. By the inmate body as a whole. ☐ f. The council's decisions are not enforced.
☐ g. Other, please specify _____

51. Do you think the staff should play a greater/lesser role in the council? ☐ Greater ☐ Lesser ☐ Stay the same

52. Why?

53. What role does the administration play in the council?

54. Do you think the administration should play a greater/lesser role in the council? ☐ Greater ☐ Lesser ☐ Stay the same

55. Why?

56. Do you see any way(s) in which the council might be improved?
☐ Yes ☐ No

57. If "Yes," in what way(s) might the council be improved?

58. Do you have any additional observations/comments about the inmate council in this institution?

V. DEMOGRAPHIC DATA

59. Sex _____ 60. Race _____ 61. Age _____
62. Educational Level: Elementary School (1-8) High School (9-12)
College: 1 2 3 4 5 6 7 8
Degree Received: _____

INMATES ONLY:

63. Length of time in the institution thus far _____
64. Length of sentence remaining _____
65. Assignment (rank): Maximum Medium Minimum

STAFF ONLY:

66. Position Now _____
67. If employed at the time of the creation of the council, position at that time _____
68. How long have you been employed at this institution? _____

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- A. Government Documents.
- B. Books.
- C. Periodicals.
- D. Walla Walla.

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II. Education

(References to student councils are included because the public school most approximates the prison in general management practices.)

III. Industry

(Private industry experiences in participatory management are included because while it is non-governmental and represents private enterprise, industrial management nonetheless tends to follow the authoritarian model.)

IV. Composite

(A comprehensive bibliography on decision-making drawn from the fields of business, education, psychology and sociology which was prepared at Southern Illinois University in 1971 is included for additional reference.)

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